

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1173 of 2016

and

Crl.M.P.No.523 of 2016

R.Sivakumar

..Petitioner/Ist Accused

Vs

1.State, represented by
The Inspector of Police,
Town Police Station,
Salem Town.

..1st Respondent/Complainant

2.Dr.T.Anuradha

... 2nd Respondents/Defacto

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the impugned FIR registered in Crime No.356 of 2015 dated 30.9.2015 on the file of the first respondent, quash the same.

For Petitioner : Mr.A.Selvam,
for Mr.G. Anabaya Chozhan

For respondents: Mr.C.Emalias,
Addl.Public Prosecutor,
for R.1

ORDER

The present criminal original petition has been filed to call for the records relating to the impugned FIR registered in Crime No.356 of 2015 dated 30.9.2015 on the file of the first respondent, quash the same.

2. In view of the limited order going to be passed hereunder, this Court is of the opinion that there is no need to issue notice to the second respondent.

3. The case in Crime No.356 of 2015 has been registered against the petitioner based on the complaint given by one Dr.T.Anuradha, the second respondent herein for the alleged offence punishable under Sections 294(b), 353 and 506(i) I.P.C.

To quash the same, the present criminal original petition has been filed.

4. However, I am of the considered opinion that the scope of Section 482 Cr.P.C. to quash the first information report is very limited, since the investigation is not yet completed. Hence, I am of the opinion that the present OP is a pre-mature one. However, the petitioner is at liberty to approach this Court after filing final report by the first respondent police.

5. In fine, the criminal original petition is dismissed. However, the petitioner is at liberty to work out his remedy after filing of the final report. The first respondent is directed to complete the investigation and file a final report as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sbi
To

1.The Inspector of Police,
Town Police Station,
Salem Town.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.G. Anabayachozhen, Advocate Sr.3889

CA(CO)
Eu 5.2.16

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