

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.12888 of 2016

1.F.Babu
2.Lenin Raja @ Raja
3.Sushila

Petitioners

Vs

1.Inspector of Police
N.4 Fishing Harbour Police Station
Chennai 600 013.

2.Indira

Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to quash the FIR in Cr.No.1225/2015 on the file of the first respondent police.

For petitioners : Mr.U.Jugal Kumar
For R1 : Mr.C.Emalias
Addl.Public Prosecutor

O R D E R

This petition has been filed to quash the FIR in Cr.No.1225/2015 on the file of the first respondent police.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3.On the complaint lodged by one Indira, the respondent police have registered a case against the petitioners for offence u/s 294(b), 323, 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998. It is the allegation of Indira, that on account of previous enmity, the first and the second petitioners waylaid her on 27.08.2015 and assaulted her, pursuant to which she was taken to Stanley Hospital. The police received intimation from the Stanley Hospital and went there and recorded the statement of Sushila, based on which the present case has been registered.

4. Learned counsel for the petitioners submitted that a case has been registered against the petitioners, because the petitioners had given a complaint against Sushila's son to the police.

5. In a proceedings u/s 482 Cr.P.C., this Court cannot go into disputed questions of fact and when there are prima facie materials, the FIR cannot be quashed in the light of the law laid down by the Supreme Court in State of Haryana vs. Bhajan Lal [AIR 1992 SC 604]. However, the respondent police is directed complete the investigation in Cr.No.1225/2015 within a period of three months from the date of receipt of a copy of this order and either file Closure Report or Final Report, as the case may be.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gms

To

1. Inspector of Police
N.4 Fishing Harbour Police Station
Chennai 600 013.

2. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.V. Jugal Kumar, Advocate, S.R.No.34282

PPA (CO)
EU(11/07/2016)

WEB COPY

Cr1.OP No.12888 of 2016