

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :25.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.27666 of 2015

and

M.P.No.1 of 2015

1.Praveen Bora Jain

2.Bawaridevi

..Petitioners/Accused 1 and 2.

Vs.,

1.The State:

Rep.by the Inspector of Police,
B-2, R.S.Puram Police Station,
Coimbatore.

(Crime No.854 of 2014)

.. Respondent/Complainant

2.A.Muralidharan

..Respondents/ Defacto Complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to call for the entire records connected with FIR in Crime No.854 of 2014 dated 23.08.2014 pending on the file of the respondent police and quash the same.

For Petitioners : Mr.K.Thilageswaran

For Respondent : Mr.C.Emalias

Additional Public Prosecutor for R1

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सत्यमेव जयते

ORDER

The present criminal original petition has been filed to call for the records connected with the First Information Report in Crime No.854 of 2014 dated 23.08.2014 pending investigation on the file of the respondent-police and quash the same.

2.I have heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

3.The case in Crime No.854 of 2014 has been registered against

the petitioners and two others based on the complaint given by one A.Muralidharan, the second respondent herein for the alleged offence punishable under Sections 120(B), 467, 468 and 420 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. The First Information Report can be quashed only if the allegations made in the complaint do not constitute any offence or if there is any legal flaw. By applying the said legal principles, I do not find any valid ground to quash the First Information Report pending in Crime No.854 of 2014. Hence, I am not inclined to entertain the present petition.

5.In fine, the criminal original petition is dismissed. However, the petitioners are at liberty to work out their 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. Consequently, connected Miscellaneous Petition is also closed.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To,

1.The Inspector of Police,
B-2, R.S.Puram Police Station,
Coimbatore.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.N.Ponraj, Advocate Sr.4364

CO-SLD

ths : 11.02.2016

Cr1.O.P.No.27666 of 2015