

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1772 of 2016
and Crl.M.P.No.859 of 2016

1.Sathiyakala
2.Vijayarani ... Petitioners

Vs

1.State rep. by
The Inspector of Police,
Tirutharaipundi Police Station,
Tirutharaipundi Taluk,
Thiruvarur District.
2.Kani ... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records and to quash the FIR in Crime
No.574 of 2015 pending on the file of the first respondent.

For Petitioners: Mr.A.Arul Deepan

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 FIR registered in Crime
No.574 of 2015 on the file of the first respondent and 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.574 of 2015 has been registered
against the petitioners based on the complaint given by the
second respondent herein for the alleged offence punishable
under Sections 294(b), 323, 355 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 petitioners are 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 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, 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(CS III)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Inspector of Police,
Tirutharaipundi Police Station,
Tirutharaipundi Taluk,
Thiruvarur District.

2.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.1772 of 2016

KJI (CO)
EU 09.02.16

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