

HIN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30452 of 2015

and

M.P.No.1 of 2015

G.Singaravelan Alias Singaram,
S/o.Gurusamy,
No.16, Kongu Nagar, 4th street,
Thirupur-7.Petitioner/Accused 2

Vs

1.The State

By the Inspector of Police,
District Crime Branch,
Thirupur.

2.Mr.P.Murugasamy,

S/o.Palanichamy Gounder,
No.1/30, Lakshmi Nagar North,
P.N.Road, Thirupur-2. Respondents/
Complainant & Defacto Complainant

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to call for the records in FIR No.7
of 2013 from the file of the Inspector of Police, District Crime
Branch, Thirupur and quash the same.

For Petitioner : Mr.K.Balaji

For Respondents : Mr.C.Emalias

Addl.Public Prosecutor

WEB COPY
O R D E R

The present criminal original petition has been filed
to call for the records in FIR No.7 of 2013 from the file of the
Inspector of Police, District Crime Branch, Thirupur, and quash
the same.

2. A complaint has been lodged by one P.Murugasamy as
against this petitioner and others for the offence under

sections 120(b), 467, 468, 471, 420, 147, 148, 447, 427, 294(b), 506(ii) IPC r/w 3(i) TNPPDL Act and section 82 of the Indian Registration Act 1908 and Section 379 (NP) of IPC and the same was registered in Crime No.7/2013 on the file of the 1st respondent police. The present petition has been filed to quash the same.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. In my considered opinion, the scope of Section 482 Cr.P.C. to quash the first information report is very narrow since the investigation is in progress. 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 principle, I do not find any valid ground to quash the first information report pending in Crime No.7 of 2013 on the file of the 1st respondent. The present petition is premature in nature. Hence, I am not inclined to entertain the present petition. Therefore, 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.

sd/-
Assistant Registrar (CO)

/TRUE COPY/

Sub-Assistant Registrar

vsi

To

1.The Inspector of Police,
District Crime Branch,
Thirupur.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.K.Balaji Advocate. SR.NO. 504

CrI.O.P.No.30452 of 2015

CO-SAI
JD 12/01/2016