

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

Crl.O.P.No.29203 of 2011

and

M.P.No.1 of 2011

1.Mr.T.K.Krishnakumar  
2.Mr.K.Thiyagarajan  
3.Mrs.T.Vijayalakshmi  
4.Mr.R.Subramaniam  
5.Mr.S.S.Satish  
6.Mr.A.Kandaswamy

...Petitioners

Vs.

1.The State,  
Rep. by the Inspector of Police,  
All Women Police Station,  
Tiruppur,  
[Crime No.44 of 2011].

2.Mrs.K.Lalitha

...Respondents

Prayer:Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to call for the entire records pertaining to the proceedings in Crime No.44 of 2011, pending on the file of the first respondent and to quash the same.

For Petitioners : Mr.V.Jayachandran

For Respondents : Mr.T.Shanmuga Rajeswaran  
Govt. Advocate (Crl. Side)  
for R1.

For Respondent-2: No Appearance

ORDER

The Criminal Original Petition has been filed by the petitioners to quash the First Information Report in Crime No.44 of 2011, on the file of the All Women Police Station/first respondent.

2. The petition is pending from the year 2011 at the stage of FIR. There are certain allegations levelled in the complaint which needs to be investigated. Without testing those allegations in the complaint, it would not be appropriate for this Court to interfere at this stage.

3. However, the learned counsel appearing for the petitioner had vehemently contended that the allegations against A2, who is aged about 72 years, is false and the allegations of such nature against an aged person can not be sustained. The grounds raised by the petitioners are question of facts which has to be considered by the investigation agency only during the investigation.

4. At this stage, without going into the merits of the case, this Court is inclined to dispose of this petition with a direction to the police to conduct the investigation in a fair and impartial manner by examining the witnesses and to conclude the investigation within a reasonable time. It is also the responsibility of the first respondent police to look in those objections raised by the petitioners on those allegations during the course of investigation.

5. With the above directions, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,  
All Women Police Station,  
Tiruppur,  
Crime No.44 of 2011.

2. The Public Prosecutor,  
High Court, Madras 104.

Cr1.O.P.No.29203 of 2011

GP(CO)  
CSL/14.02.2019