



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.3517 of 2015

and

M.P.(MD)No.1 of 2015

A.Soundararajan

... Petitioner

Vs.

1. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai.

2. A.Raja

..Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No.362 of 2014 on the file of the Respondent No.1 and quash the same.

For Petitioners : Mr.S.M.A.Jinnah

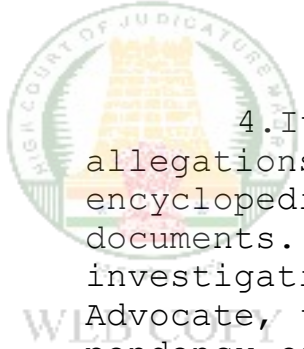
For R1 : Mr.A.P.G.OHM Chairma Prabhu
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition is filed to quash the FIR in Crime No.362 of 2014 on the file of the first respondent registered for the offence punishable under Sections 406, 420 and 506 (i) IPC against the petitioner.

2.The learned counsel for the petitioner would submit that no specific allegation is mentioned in the FIR and there are only bald and vague allegations and it does not attract the offence as stated above. He would further contend that the receipts produced by the defacto complainant is only in respect of payment of interest and the defacto complainant did not produced any receipt for payment of the principal amount, which he paid to redeem the jewels pledged by the defacto complainant. Therefore he sought to quash the FIR.

3.The learned Government Advocate (Crl.Side) would submit that the investigation in Crime No.362 of 2014 is almost over and only because of the pendency of this criminal proceedings, the respondent police is not able to file a final report. He would further submitted that there are specific allegations against the



4.It is seen from the FIR that there are specific allegations as against the petitioner. Further, FIR is not an encyclopedia to content all the material evidences and other documents. The complaint of the second respondent is under investigation. Further, as represented by the learned Government Advocate, the investigation is almost over and only because of the pendency of this criminal proceedings the respondent police is not able to file final report.

5.In view of the above facts and circumstances of the case, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed. However, the first respondent is directed to complete the investigation and file a final report within a period of four weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TA

VB/PM/SAR3/22.11.2018/2P/3C

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