



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD).No.8565 of 2015

and

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

Kathar Fathima Beevi

... Petitioner

Vs.

1.State through the
The Inspector of Police,
P.C.Patti Police Station,
P.C.Patti, Theni.
(Crime No.119 of 2015)

2.P.Raja

...Respondents

PRAYER: The Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to call for the records in crime No.119 of 2015 on the file of the 1st respondent police and quash the FIR and consequential further proceedings.

For Petitioner : Mr.R.Saravanan
For R1 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.Side)
For R2 : Mr.B.Chandramohan

O R D E R

The Criminal Original Petition has been filed to quash the proceedings in crime No.119 of 2015 on the file of the 1st respondent police.

2.The learned counsel for the petitioner submitted that there is a delay in lodging the complaint against the petitioner. It is further submitted that the case is purely civil in nature. Therefore, the petitioner sought for quashing of FIR.

3.The learned Government Advocate (Crl.Side) would submit that the investigation in Crime No.119 of 2015 is almost completed and there are specific allegations against the petitioner herein and only because of the pendency of this criminal proceedings, the respondent police is not able to file the charge sheet.

4.Heard the learned counsel appearing on either side.

5.Considering the facts and circumstances of the case and also taking note of the submission of the learned Government Advocate (Crl.Side) that the investigation is almost over, this Court is not



inclined to entertain the present petition for quashing the FIR. The delay in lodging the complaint or FIR cannot be considered now by this Court. However, FIR cannot be quashed at its threshold and it has to be investigated in depth. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

- 1.The Inspector of Police,
P.C.Patti Police Station,
P.C.Patti, Theni.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

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