



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.13892 of 2018

and

Cr1.M.P.[MD].No.6233 of 2018

1.Aaro Arul
2.Gracy Selvam
3.John
4.Arunpirabhu
5.Praveen Kumar
6.Jesu Immanuvel
7.Melkees Raja

: Petitioners

Vs.

1.The State Represented by
The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur.
Crime No.48 of 2018.

2.Fransis Xavier

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to quash the Crime No.48 of 2018, on the file of the Inspector of Police, Thiruchitrambalam Police Station, Thanjavur.

For Petitioners : Mr.V.Illanchezian
For Respondents : Ms.S.Bharathi
Government Advocate

ORDER

The present Criminal Original Petition has been filed to quash the First Information Report registered in Crime No.48 of 2018, on the file of the Inspector of Police, Thiruchitrambalam Police Station, Thanjavur.

2. The learned counsel for the petitioner would submit that there is a delay in registering the First Information Report, since the alleged incident is said to have been taken place on 05.06.2018 and the First Information Report was registered only on 13.06.2018. The learned counsel further submitted that the allegations made in the complaint are vague and general in nature.

<https://hcservices.ecourts.gov.in/hcservices/>

3. Per contra, the learned Government Advocate appearing for the respondents would submit that sufficient averments which makes out a



cognizable offence is present in the First Information Report and the investigation is pending. The learned Government Advocate would further submit that the delay in registering the First Information Report is not a ground to quash the First Information Report.

4. This Court has carefully considered the submissions made by the counsel on either side.

5. The delay in registering the First Information Report cannot be a ground for quashing the First Information Report. There are allegations that have been made in the First Information Report against the petitioners, at this stage this Court cannot go into the truth or otherwise of the said allegation. It is best left to the investigating agency to find out the truth on the facts of the case.

6. It is always left to the petitioners to raise all the defence available to them at an appropriate stage. At this stage, this Court does not find any ground to quash the First Information Report.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

SD

ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)

sjj
To

1.The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

1CC TO MR. ILLANCHEZIAN, ADVOCATE SR 77773

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