

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.01.2019

CORAM
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.764 of 2019 &
Crl.M.P.No.507 of 2019

1.S.Varun
2.S.Karan

... Petitioners/Accused Nos. 1 & 2

Vs.

1.The State rep. By the
Inspector of Police,
K-6, T.P.Chatram Police Station,
Crime No.569/2018,
Chennai District.

2.R.Ganesan ... Respondents/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the FIR in Crime No.569 of 2018 on the file of the 1st respondent police, quash the same.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No.569 of 2018.

2.The First Information Report has been registered against the petitioners for an offence under Sections 323 and 506(i) of IPC.

3.The learned counsel for the petitioners would submit that if the allegations made in the FIR are taken as it is, no offence under Sections 294(b) and 324 IPC is made out. The learned counsel further submitted that there is an internal dispute in the apartment and a false case has been foisted against the petitioners.

4.The learned Additional Public Prosecutor would submit that investigation is almost completed and a final report will be filed within a short time.

5.Considering the allegations made in the FIR, it is true that it does not attract the provisions of Section 324 and 294 (b) of IPC. However, necessary allegations are there for the offence under Section 323 and 506(i) of IPC. The truth or otherwise of the allegations can be found out only in the course of investigation. Therefore, this Court is not inclined to interfere with the investigation at this stage.

6. This Criminal Original Petition is disposed of with a direction to the respondent Police to complete the investigation and file a final report or a closure report, as the case may be, within a period of one month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
K-6, T.P.Chatram Police Station,
Crime No.569/2018,
Chennai District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.3521

सत्यमेव जयते
Cr1.O.P.No.764 of 2019 &
Cr1.M.P.No.507 of 2019

SR(CO)

rrs 06/02/2019

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