

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6072 of 2015
and
M.P.No.1 of 2015

1.P.Jayachandran

2.Murugaraj

3.P.Gouthaman

4.Balaraman

5.James

6.John

... Petitioners

Vs.

1.The Station House Officer,
Danvanthri Nagar Police Station,
Gorimedu, Puducherry
(in Crime No.66 of 2014)

2.Eamavathy

... Respondents

Prayer : Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the F.I.R. In Crime No.66 of 2014 on the file of the respondent police and quash the said F.I.R as against the petitioners / accused.

For Petitioners: Mr.J.Franklin

For RR1 : Mr.V.Balamurugane
Addl. Public Prosecutor,
Pondicherry

For R2 : No appearance

O R D E R

The prayer sought for in the present writ petition is to all for the records pertaining to the F.I.R. In Crime No.66 of 2014 on the file of the respondent police and quash the said F.I.R as against the petitioners / accused.

2. The learned Counsel appearing for the petitioner would submit that the petition is an innocent person and he has not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.66 of 2014 for the offences under Sections 120(b), 420, 468, 471, 447, 506 read with Section 341 of IPC, as against the petitioner. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the investigation is almost completed and the respondent police have only to file final report.

4. Heard Mr.J.Franklin, learned counsel appearing for the petitioner and Mr.V.Balamurugane, learned Additional Public Prosecutor, Pondicherry, appearing for the 1st respondent.

5. It is seen from the First Information Report that there is a specific allegation as against the petitioner, which has to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in the threshold. This Court finds that the FIR discloses prima facie commission of cognizable offence and as such this Court cannot interfere with the investigation. The investigating machinery has to step in to investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

6. In view of the above discussion, this Court is not inclined to quash the FIR. However, considering the crime is of the year 2014, the fourth respondent is directed to complete the investigation in Crime No.66 of 2014 and file a final report within a period of four weeks from the date of receipt of copy of this Order, before the jurisdiction Magistrate, if not already filed.

7. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsn

To

1.The Station House Officer,
Danvanthri Nagar Police Station,
Gorimedu, Puducherry

2. The Public Prosecutor,
High Court, Madras

+1cc to the Public Prosecutor for Puducherry, S.R.No.18026

CrI.O.P.No.6072 of 2015 and
M.P.No.1 of 2015

PP(CO)

rrs 26/03/2019



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