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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7750 of 2018
and
Crl.M.P.No.3998 of 2018

1. V.Nadanavelu
2. V.Veeraragavan
3. V.Thanigaivelu
4. V.Rajkumar
5. Rogini
6. Gandhi Sankar

... Petitioners

Vs.

1. The State Rep. by
Inspector of Police,
Central Crime Branch-I,
Chennai

2. T.V.Udaya Kumar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to F.I.R. in Crime No.150/2016 pending on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.A.Rajesh Kanna

For Respondents

For R1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.
For R2 : Mr.C.K.M.Appaji

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.150 of 2016 registered by the first respondent police for offences under Sections 420, 465, 468, 471 and 120(b) of IPC, as against the petitioners.



2.The learned Counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.150 of 2016 for the offences under Sections 420, 465, 468, 471 and 120(b) of IPC, as against the petitioners. Hence he prayed to quash the same.

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

4. Heard Mr.A.Rajesh Kanna, learned counsel appearing for the petitioners, Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first respondent and Mr.C.K.M.Appaji, learned counsel for the second respondent.

5.It is seen from the First Information Report that there is a specific allegation as against the petitioners, 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 2016, the first respondent is directed to complete the investigation in Crime No.150 of 2016 and file a final report within a period of two 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 Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Central Crime Branch-I,
Chennai



2. The Additional Public Prosecutor,
High Court of Madras

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+1cc to Mr.A.Rajesh Kanna, Advocate, SR.No.26167

+1cc to Mr.C.K.M.APPAJI, Advocate, SR.No.227001

Cr1.O.P.No.7750 of 2018
and

Cr1.M.P.No.3998 of 2018

Kak(27/04/2019)