

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2019

Coram

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4370 of 2019

and

Crl.M.P.No.2633 of 2019

Mrs.Suganthi Petitioner/Accused

Vs.

1. State Rep. by its
The Inspector of Police,
Soundarapandianar Angadi Police Station
Chennai. Respondent/Complainant

2. Mrs.Malathi Respondent/Defacto Complainant

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of the 1st respondent in FIR.No.400 of 2018 dated 09.12.2018 and quash the same against the petitioners herein.

For Petitioner : Mr.P.Saranath

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

ORDER

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.400 of 2018 on the file of the first respondent.

2. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Without any base, the respondent police registered a case in Crime No.400 of 2018 for the offences under Sections 406 & 420 of IPC, as against the petitioner. Hence, she 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.P.Saranath, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the first 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 into 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 on the file of the first respondent.

7. Accordingly, this Criminal Original Petition is disposed of and the first respondent is directed to complete the investigation in Crime No.400 of 2018 and file a final report within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)
//True Copy//

Sub Assistant Registrar

raja
To

1. The Inspector of Police,
Soundarapandianar Angadi Police Station, Chennai.
2. The Public Prosecutor
High Court, Madras.

+1 cc to M/s.P.Saranath, Advocate Sr.No.22183

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PPA (CO)
CSL/04.04.2019