

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3876 of 2019
and Crl.M.P.No.2398 of 2019

1.K.Ayyamperumal
2.Chandrakumar

...Petitioners

-Vs-

1.The State represented by
The Station House Officer,
V.Kalathur Police Station,
Veppanthattai Taluk,
Perambalur District.
(Crime NO.345/2016)

2.N.Vimalkumar

.... Respondents

Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to CIR in Crime No.345/2016 on the file of the 1st respondent and quash the same as against the petitioners.

For Petitioners : Mr.C.Prabhu

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

ORDER

The prayer sought for in the petition is to quash the F.I.R. in Crime No.345 of 2016 pending on the file of the first respondent police.

2. The learned Counsel appearing for the petitioner would submit that the petitioner 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.345 of 2016 for the offences under Sections 294(b), 341, 353, 506(ii) of IPC, as against the petitioner. Hence, he prays 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.C.Prabhu, 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 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 respondent is directed to complete the investigation in Crime No. 345 of 2016 and file a final report within a period of two months 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 stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

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सत्यमेव जयते

Sub Assistant Registrar

mpa/lpp

To

1. The Station House Officer,
V.Kalathur Police Station,
Veppanthattai Taluk,
Perambalur District.

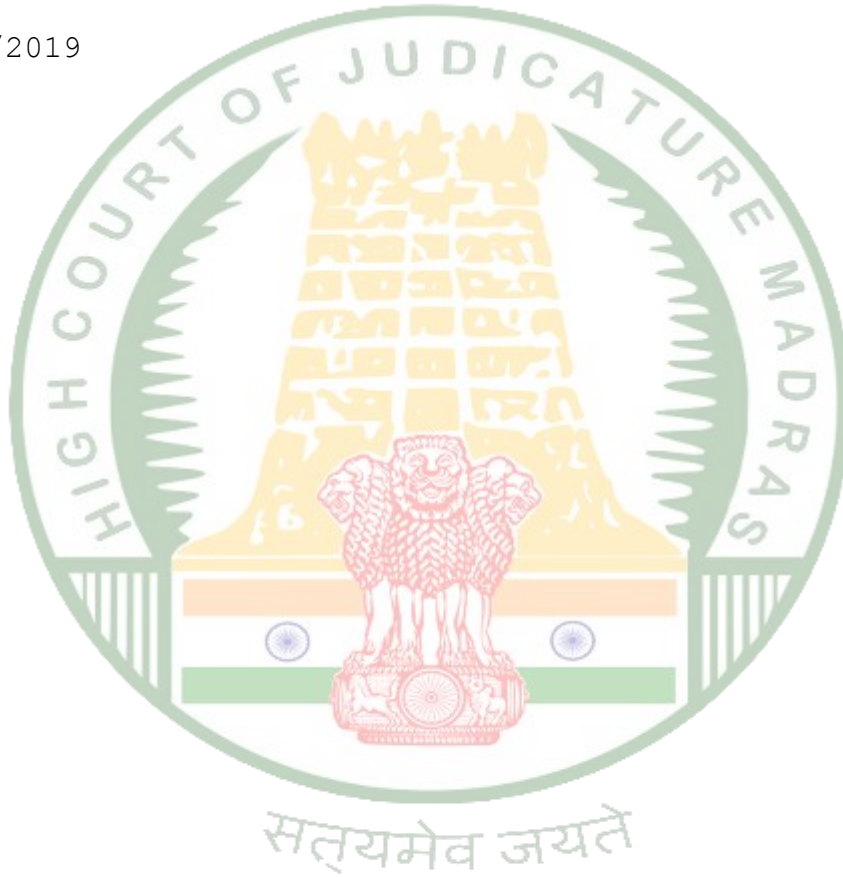
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2.The Public Prosecutor,
High Court of Madras.

+2cc to Mr.G.Prabhu, Advocate Sr.12588, 14218

Cr1.O.P.No.3876 of 2019
and Cr1.M.P.No.2398 of 2019

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srg 28/03/2019



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