

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.02.2019
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.4347 of 2019
and
Cr1.M.P.No.2613 of 2019

1.H.Karunakaran

2.S.K.Gajalakshmi

3.G.Sivaraman .. Petitioners/Accused 1 to 3
Vs.

1.State represented by
The Inspector of Police,
S-6, Sankar Nagar Police Station,
Chennai City Police.
(Crime No.344 of 2018) ..1st Respondent/Complainant

2.G.Raja ..2nd Respondent/De-facto Complainant

Prayer : Criminal Original Petition filed under Section 482
Cr.P.C., to call for the records relating to F.I.R., in Crime
No.344 of 2018 pending on the file of the first respondent and
to quash the same.

For Petitioners : Mr.S.Vijayakumar
For Respondents : Mr.M.Mohamed Riyaz, for R1
Additional Public Prosecutor

O R D E R

The prayer sought for in the present petition is to call
for the records relating to F.I.R., in Crime No.344 of 2018
pending on the file of the first respondent and to quash the
same.

2. The learned Counsel appearing for the petitioners
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.344 of 2018 for the offences
under Sections 406, 420 and 506(i) 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
respondent police have only to file final report.

4. Heard Mr.S.Vijayakumar, learned counsel appearing for the petitioners 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 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. Therefore, the criminal original petition stands dismissed. However, the second petitioner has lodged a complaint as against the de-facto complainant on 08.11.2018 and it is also pending on the file of the first respondent police. Therefore, the first respondent is directed to consider the said complaint and file a final report in Crime No.344 of 2018 within a period of three months from the date of receipt of a copy of this order.

7. Accordingly, the criminal revision petition stands dismissed. Consequently, connected miscellaneous petition is closed.

at/raja

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
S-6, Sankar Nagar Police Station,
Chennai City Police.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Vijayakumar , Advocate SR.No. 15969

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and
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A.SK(25/03/2019)