

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.1263 of 2018 and
CrI.M.P.No.453 of 2018

1.Sujatha
2.Meeganandham
3.Sumi

... Petitioners

Vs

1.State represented by:
The Inspector of Police,
Vaniyambadi Town Police Station,
Vellore District.
[Crime No.313 of 2017].

2.Ajai Kumar

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crime No.313 of 2017 on the file of the respondent/Inspector of Police, Vaniyambadi Town Police Station, Vellore District and to quash the same.

For Petitioners : Mr.S.Paul Gnanamuthu

For Respondent-1 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

For Respondent-2 : Mr.G.Vinoth Kumar

सत्यमेव जयते
O R D E R

The prayer sought for in the present Criminal Original Petition is to quash the F.I.R. in Crime No.313 of 2017 on the file of the respondent/Inspector of Police, Vaniyambadi Town Police Station, Vellore District.

2. The learned counsel appearing for the petitioner would submit that the petitioners are an 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.313 of 2017 for the offences under Sections 147, 148, 294(b), 326 and 307 IPC, as against the petitioners. Hence, the petitioners pray 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.Paul Gnanamuthu, 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 petitioners, which have 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 discussions, this Court is not inclined to quash the FIR. However, considering the crime is of the year 2017, the first respondent is directed to complete the investigation in Crime No.313 of 2017 and file a final report within a period three months from the date of receipt of a copy of this Order, before the jurisdiction Magistrate, if not already filed.

7. With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

msm

To

1.The Inspector of Police (Crime)
Vaniyambadi Town Police Station, Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.G.Vinodh Kumar, Advocate Sr.No.15225

Cr1.O.P.No.1263 of 2018

MG(CO)
CSL/18.03.2019