

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5962 of 2019
and Crl.M.P.No.3357 of 2019

R.Balaji

... Petitioner/
1st Accused

Vs.

- 1.The Inspector of Police,
District Crime Branch,
Krishnagiri District.
- 2.Neethidevan
- 3.Palraj
- 4.Karthick
- 5.Moorthy
- 6.Monisha
- 7.Kalpana
- 8.Thirukolam
- 9.Magesh

...Respondents/
Complainant/Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C.
praying to call for the records of the first respondent police
and to Quash the FIR No.23 of 2018 on the file of the Inspector
of Police, District Crime Branch, Krishnagiri.

For Petitioner : Ms.C.Jagadeeswari

For RR1 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

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ORDER

This petition has been filed to call for the records of the
respondent police to Quash the FIR No.23 of 2018 of the
Inspector of Police, District Crime Branch, Krishnagiri.

2. The learned Counsel appearing for the petitioner would
submit that the petition 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.23 of 2018 for the offences under Section 420 IPC, as against the petitioner. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that the petitioner had got Rs.6,00,000/- from the defacto complainant by assuring for government job and thereafter cheated. He further submitted that on enquiry it has been found that the petitioner has cheated several persons similarly. Now the will investigation is almost completed and the respondent police have only to file final report.

4. Heard Ms.C.Jagadeeswari, 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 2018, the first respondent is directed to complete the investigation in Crime No.23 of 2018 and file a final report within a period of three 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 is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

pds/lok

To

1. The Inspector of Police,
District Crime Branch,
Krishnagiri District.
2. The Public Prosecutor,
Hight Court of Madras.

Cr1.O.P.No.5962 of 2019
and Cr1.M.P.No.3357 of 2019

CS/23/05/2019



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