

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.03.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 5503 of 2019
and Crl.M.P.No.3137 of 2019

1.S.N.Neelakandan
2.S.B.Vaideeswaran

.. Petitioners/Accused

Vs.

1.State by:

The Inspector of Police,
Gudiyattam Police Station,
Vellore. (Crime No.766 of 2018) .. Respondent/Complainant

2.S.M.Kailashnath .. Respondent/De-facto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records connected with the FIR in Crime No.766 of 2018 dated 28.12.2018, pending investigation on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.K.Jayaraman

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

O R D E R

This Criminal Original Petition has been filed to call for the entire records connected with the FIR in Crime No.766 of 2018 dated 28.12.2018, pending investigation on the file of the 1st respondent police and quash the same.

2.It is seen that there are specific allegations as against the petitioner for the offences under section 294(b), 324, 506(2) of IPC in Crime No.766 of 2018 dated 28.12.2018, on the file of the respondent police.

3.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.

4.In view of the above, this Court is not inclined to quash the FIR. Therefore, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mpa/at

To

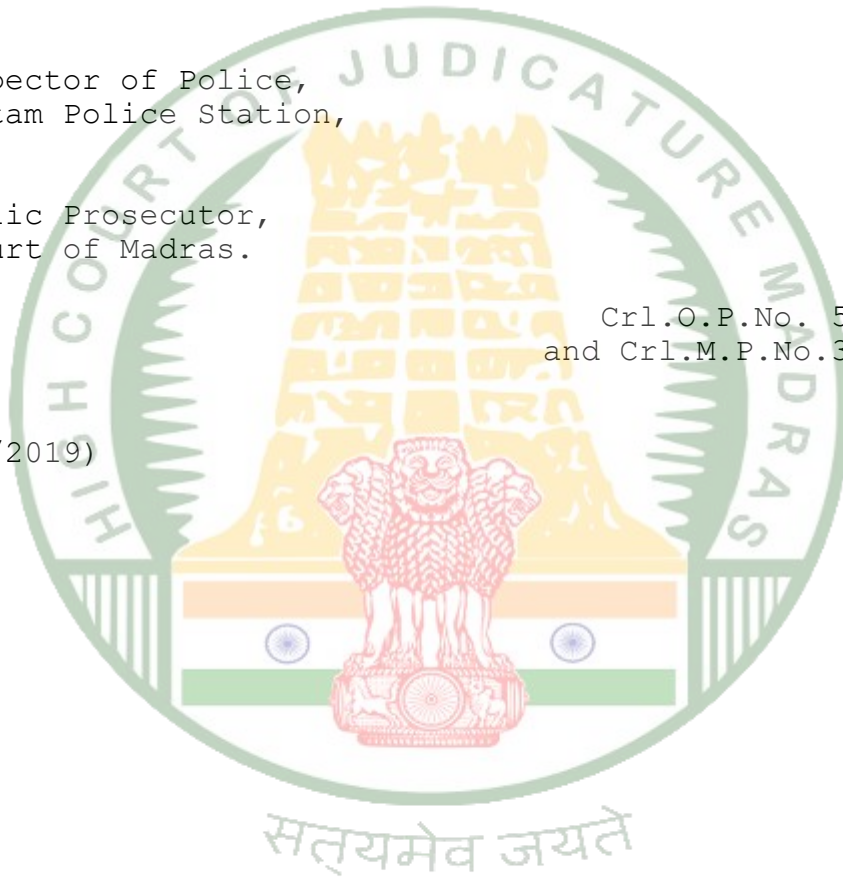
1.The Inspector of Police,
Gudiyattam Police Station,
Vellore.

2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No. 5503 of 2019
and Crl.M.P.No.3137 of 2019

SV(CO)

RRS (25/04/2019)



WEB COPY