

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6577 of 2019
and
Crl.M.P.No.3634 of 2019

1.A.Kalaiaras
2.E.Anbaras
3.Stella Bai

... Petitioners

Vs.

1.The State Rep. by
Inspector of Police
All Women Police Station
Poonamalli,Thiruvallore District
(Crime No.3 of 2019)

2.R.P.Rabezha

... Respondents

PRAYER:Criminal Original Petition has been filed under Section 482 of Cr.P.C. to call for the records pertaining to Crime No.3 of 2019 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.C.Johnson

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

सत्यमेव जयते
O R D E R

The prayer sought for in the Criminal Original Petition is to quash the F.I.R. in Crime No.3 of 2019 on the file of the 1st respondent police and 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 1st respondent police registered a case in Crime No.3 of 2019 for the alleged offences u/s. 498A, 406, 294b and 506(1) IPC r/w Section 5(1)(a)(b)(c)(d) of Immoral Trafficking Prevention Act 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 a final report.

4.Heard Mr.C.Johnson, learned counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the 1st 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 facts and circumstances of the case, the 1st respondent is directed to conduct enquiry and complete the investigation in Crime No.3 of 2019 and file a final report within a period of three months from the date of receipt of copy of this Order, before the jurisdictional 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(J)

//True Copy//

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To

Sub Assistant Registrar

1.Inspector of Police
All Women Police Station
Poonamalli,Thiruvallore District
(Crime No.3 of 2019)

2.The Public Prosecutor,
High Court, Madras.

+2 ccs to Mr.C.Johnson, Advocate, S.R.No.23044

Cr1.O.P.No.6577 of 2019
and
Cr1.M.P.No.3634 of 2019

SSM(05/04/2019)