

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7540 of 2019 and
Crl.M.P.No.4156 of 2019

R.Munirathinam ... Petitioner

Vs.

1. State Rep. by
The Inspector of Police,
District Crime Branch,
Dharmapurai District

2. B.Usharani ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to the proceedings in Crime No.7 of 2015 on the file of the District Crime Branch, Dharmapuri and quash the same.

For Petitioner : Mr.T.Balaji

For Respondents

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

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.7 of 2015 registered by the first respondent police for offences under Sections 465, 471, 420, 147, 448, 452 and 506 (ii) of IPC, as against the petitioner.

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.7 of 2015 for the offences under Sections 465, 471, 420, 147, 448, 452 and 506 (ii) of IPC, as against the petitioner. Hence he prayed to quash the same.

3.The learned Additional Public Prosecutor would submit that the investigation is almost completed and the first respondent

police have only to file final report.

4. Heard Mr.T.Balaji, 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. When this Court is about to dismiss this petition, the learned counsel for the petitioner seeks permission of this Court to withdraw this petition and he has also made an endorsement to that effect.

7. In view of the endorsement made by the learned counsel for the petitioner, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Crime Branch, Dharmapuri.
2. The Inspector of Police,
District Crime Branch, Dharmapurai District
3. The Additional Public Prosecutor,
High Court of Madras

+1 cc to M/s.T.Balaji, Advocate, Sr.No. 26929

CrI.O.P.No.7540 of 2019

SJ(CO)
CSL/13.05.2019