

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2019

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.7621 of 2019 and
CrI.M.P.No.4167 of 2019

1.K.Prabakaran
2.K.Ranjith Kumar

... Petitioners

Vs.

1. The State,
Rep. by: The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.

2. V.Babu PC No.2650

... Respondents

Prayer :

This Criminal Original Petition filed under Section 482 Cr.P.C. to call for record and quash the FIR vide in Crime No.888 of 2018 dated: 26.11.2018 pending on the file of Sankarapuram Police Station, Villupuram District.

For Petitioners: M/s.M.R.Radhakrishnan

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

ORDER

The prayer sought for in the present Criminal Original Petition is to quash the F.I.R. in Crime No.888 of 2018 pending on the file of the respondent Police.

2.The learned Counsel appearing for the petitioner would submit that the petitions are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the respondent police registered a case in Crime No.888 of 2018 for the offences under Sections 294(b), 323, 324, 506(ii) of IPC and Section 4 of Woman Harassment 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 final report.

4. Heard Mr.M.R.Radhakrishnan, learned counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent Police.

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. Hence, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Sankarapuram Police Station,
Villupuram District.

2. The Additional Public Prosecutor,
Madras High Court.

+1cc to M/s.M.R.Radhakrishnan, Advocate, S.R.No.26904

Cr1.O.P.No.7621 of 2019

NRL (CO)
CS/24/04/2019