

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.701 of 2014

1.Parameswaran
2.Sivaprakasam
3.Mageswari

... Petitioners

Vs.

1.Deputy Superintendent of Police,
All Land Grabbing Special Cell,
Salem, Salem District
2.The Inspector of Police,
District Crime Branch,
All Land Grabbing Special Cell,
Salem, Salem District
3.Shanthi

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.16 of 2013 on the file of the second respondent herein and quash the same as illegal.

For Petitioners: Mr.M.Velmurugan

For RR1 & 2 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The prayer sought for in the present petition is to quash the F.I.R. in Crime No.16 of 2013 on the file of the second respondent.

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 second respondent police registered a case in Crime No.16 of 2013 for the offences under Sections 461, 465, 471 & 420 of IPC, 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.Velmurugan, learned counsel appearing for the petitioners and Mr.M.Mohamed Riyaz, Additional Public Prosecutor appearing for respondents 1 & 2.

5. It is seen from the First Information Report that there are specific allegations as against the petitioners. Therefore, they have to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in threshold.

6. Considering the above facts and circumstances of the case, this Court is not inclined to quash the FIR. However, considering the case is of the year 2013, the second respondent is directed to complete the investigation in Crime No.16 of 2013 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 stands disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.Deputy Superintendent of Police,
All Land Grabbing Special Cell,
Salem, Salem District.

2.The Inspector of Police,
District Crime Branch,
All Land Grabbing Special Cell,
Salem, Salem District.

3. The Additional Public Prosecutor,
High Court of Madras.

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rrs 12/03/2019