

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5183 of 2014
and
M.P.No.1 of 2014

P.Shanthi

... Petitioner

Vs.

1. The Inspector of Police,
CCB Team II,
Chennai - 600 008

2. C.S.Chandrasekar

... Respondents

Prayer : Criminal Original petition filed under Section 482 Cr.P.C. to exercise its powers under Section 482 Cr.P.C. call for the records of CCB Chennai, relating to Crime No.31 of 2013 and quash the same.

For Petitioner : Mr.R.C.Paul Kanagaraj

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

For R2 : Mr.R.Vijayaraghavan

O R D E R

The prayer sought for in the present Criminal Original Petition is to quash the F.I.R. in Crime No.31 of 2013.

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.31 of 2013 for the offences under Sections 419, 420, 465, 468, 471 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 respondent police have only to file final report.

4. Heard Mr.R.C.Paul Kanagaraj, 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. However, considering the crime is of the year 2013, the first respondent is directed to complete the investigation in Crime No.31 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

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To

Sub Assistant Registrar

1. The Inspector of Police,
CCB Team II,
Chennai - 600 008

2. CCB, Chennai

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

+1cc to Mr.R.C.Paul Kanagaraj, Advocate, S.R.No.15827
+1cc to Mr.R.Vijayaragavan, Advocate, S.R.No.15919

Cr1.O.P.No.5183 of 2014
and M.P.No.1 of 2014

BS (CO)
SSM(27/03/2019).