

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.5608 of 2014 and
M.P.No.1 of 2014

1.Vijayalakshmi

2.T.Amarsingh

... Petitioners/Accused 16 & 17

Vs.

1.The State of Tamil Nadu,
Represented by the Inspector of Police,
District Crime Branch,
Coimbatore District.
[Crime No.25 of 2011].

2. B.Shanmuga Sundara Moorthy ...Respondents/Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records in Crime No.25 of 2011 dated 21.07.2011 on the file of the first respondent police and quash the same.

For Petitioner : Mr.S.Selvathirumurugan

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.25 of 2011, on the file of the first respondent police.

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 third respondent police registered a case in Crime No.25 of 2011 for the offences under Section 120B & 420 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.S.Selvathirumurugan, 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. Therefore, it has 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 2011, the first respondent is directed to complete the investigation in Crime No.25 of 2011 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

//True Copy//

Sub Assistant Registrar

rts

To

1.The Inspector of Police,
State of Tamil Nadu,
District Crime Branch,
Coimbatore District.

2.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.S.Selvathirumurugan, Advocate, S.R.No.14246

Cr1.O.P.No.5608 of 2014
and M.P.No.1 of 2014

CA(CO)

rrs 14/03/2019

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