

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.3564 of 2014
and M.P.Nos.1 of 2014

1.G.Venkatesan
2.G.Iyyappa

... Petitioners

Vs.

1. The State, represented by
The Inspector of Police
T-13, Kundrathur Police Station,
Kundrathur, Chennai.

2. T.Logadevi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records relating to the Crime No.2028 of 2013 pending on the file of the Inspector of Police, T-13, Kundrathur Police Station, Kundrathur, Chennai and quash the same.

For Petitioners: Dr.G.Krishnamurthy

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.2028 of 2013 on the file of the first respondent, registered for the offences under Sections 406 and 420 of IPC as against the petitioners.

2. The learned Counsel appearing for the petitioners would submit that the petition are innocent persons and they have not committed any offences as alleged by the prosecution. 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 Dr.G.Krishnamurthy, 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 petitioners, 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.2028 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 petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rts

To

1. The Inspector of Police, T-13,
Kundrathur Police Station,
Kundrathur, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Jaisankar, Advocate sr.13993

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rr(co)
nr 22/04/2019