

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.14830 of 2014
and Cr1.M.P.No.1 of 2014

- 1.T.Balasubramaniam
- 2.Jayaparvathy
- 3.T.Gobi
- 4.Ponnusamy

... Petitioners

Vs.

1. The State rep. by
The Inspector of Police,
(Special Cell, Anti-Land Grabbing)
Tiruppur
Tiruppur District.
(Crime No.32 of 2014)

2. Govindaraj

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records in Crime No.32 of 2014, on the file of the respondent and quash the same.

For Petitioners : Mr.S.Kamadevan

For Respondents : Mr.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to call for the records in Crime No.32 of 2014, on the file of the respondent and quash the same.

2. The learned Additional Public Prosecutor would submit that this Court granted interim stay on 13.06.2014 as such the first respondent Police is unable to file final report before the learned Judicial Magistrate concerned.

3. 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.

4. In view of the above discussion, this Court is not inclined to quash the FIR. However, considering the crime is of the year 2014, the first respondent is directed to complete the investigation in Crime No.32 of 2014 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.

5. With the above directions, this criminal original petition stands disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

pds/lok

To

1.The Inspector of Police,
(Special Cell, Anti-Land Grabbing),
Tiruppur,
Tiruppur District.

2.The Judicial Magistrate,
Tiruppur

3.The Public Prosecutor,
High Court of Madras

+1 cc to Mr.S.Kamadevan, Advocate, S.R.No.16280

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SSI (CO)
SSM(15/04/2019) .