IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. No. 17736 of 2014
and
M.P. No. 1 of 2014

1.Syed Ali Fathima
2.Najumunisha (Najibabegum)
3.Tajnisha
4.M.A.C.Mohammed Noordeen
5.A.M.Thameem Ansari ... Petitioners/Accused

Vs.

1.S.Syed Rabika Begum

2.The Inspector of Police
W-32, All Women Police Station,
Madipakkam, Chennai - 600 091 ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to the complaint in Crime No.08 of 2014 on the file of 2nd respondent Inspector of Police, W-32, All Women Police Station, Madippakkam, Chennai 91 and quash the same.

For Petitioners: No Appearance

For Respondents: Mr.M.Mohamed Riyaz [For R2]
Additional Public Prosecutor
M/s.S.Anuradha Balaji [For R1]

ORDER

This Criminal Original Petition has been filed seeking a direction to call for the records relating to the complaint in Crime No.08 of 2014 on the file of 2nd respondent Inspector of Police, W-32, All Women Police Station, Madippakkam, Chennai 91.

2. No one appeared on behalf of the petitioners.

3. The learned Additional Public Prosecutor would submit that the investigation is almost completed and the respondent police have only to file final report.

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4. Heard Mr.S.Anuradha Balaji, the learned counsel appearing for the first respondent and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the second respondent.

5. It is seen that the first respondent police registered a case in Crime No.08 of 2014 for the offences under Sections 498(a) & 506 (i) of IPC, as against the petitioners. It is also 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 discussions, this Court is not inclined to quash the FIR. However, considering the crime is of the year 2014, the second respondent is directed to complete the investigation in Crime No.08 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.

7. With the above directions, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
W-32, All Women Police Station,
Madipakkam, Chennai - 600 091

https://hcservices.ecourts.gov.in/hcservices/

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

+1cc to M/s.S.Anuradha Balaji, Advocate sr.18978

Crl.O.P. No. 17736 of 2014

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