

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.19075 of 2017
and
Crl.M.P.No.11567 of 2017

Vasantha

... Petitioner

Vs.

1. The State rep by
The Inspector of Police,
Central Crime Branch
Vepery, Chennai-115.

2. Anandapadmanabha Das

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records and quash all proceedings in Crime No.258 of 2008 on the file of the respondent police.

For Petitioner : Mr.R.Vijayaraghaven

For Respondents

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

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.258 of 2008 registered by the first respondent police for offences under Sections 420, 465, 467, 468 r/w 471 of IPC, as against the petitioner.

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. The petitioner name is not found in F.I.R and there is no allegation as against her. Without any base, the first respondent police registered a case in Crime No.258 of 2008 for the offences under Sections 420, 465, 467, 468 r/w 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 were yet to file final report.

4. Heard Mr.R.Vijayaraghaven, 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 2008, the first respondent is directed to complete the investigation in Crime No. 258 of 2008 and file a final report within a period of four weeks 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.
rri

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Central Crime Branch
Vepery, Chennai-115.

2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.19075 of 2017
and Crl.M.P.No.11567 of 2017

Kak(08/07/2019)

Kak(26/07/2019)