



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No.4995 of 2019

and

Crl.M.P. (MD) Nos.3138 and 7418 of 2019

1.P.Ravichandran
2.S.Kudbudeen
3.O.Sowdy
4.MRC.Saisankar

... Petitioners/ Accused No.2 to 5

Vs

1.State Rep.by
The Inspector of Police,
City Crime Branch,
Crime No.17 of 2019
Trichy District.

... Respondent/ Complainant

2.Tmt.Iswarya Lakshmi

... Respondent/ Defacto Complainant

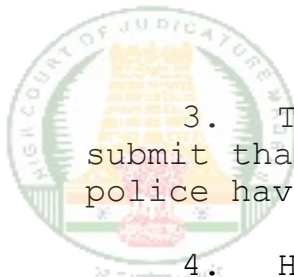
PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records relating to FIR in crime No.17 of 2019 dated 22.03.2019 on the file of the 1st respondent and quash the same against the petitioners are concerned.

For Petitioner : Mr.M.Subash Babu
For Respondents : Mr.K.Suyambulinga Bharathi,
G.A. (Crl. Side) for R1
: Mr.R.Anand, For R2

O R D E R

This petition has been filed to quash the F.I.R. in Crime No.17 of 2019 registered by the first respondent police for offences under Sections 406, 420 and 120(b) of IPC, as against the petitioners/A2 to A5.

2. The learned Counsel appearing for the petitioners would submit that the petitioner are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the first respondent police registered a case in Crime No.17 of 2019 for the offences under Sections 406, 420 and 120(b) of IPC, as against the petitioners. Hence he prayed to quash the same.



3. The learned Government Advocate (criminal side) would submit that the investigation is almost completed and the respondent police have only to file final report.

4. Heard both sides and perused the materials available on record.

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, the petitioners are permitted to submit all the documents before the first respondent with regard to the crime registered as against the petitioners. Thereafter, the first respondent is directed to consider the same and complete the investigation 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 (AD-II)

// True Copy //

Sub Assistant Registrar

To

1.The Inspector of Police,
City Crime Branch, Trichy District.

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

+1 CC to M/s.R.ANAND, Advocate (SR-85160[F] dated 04/09/2019

+1 CC to M/s.M. SUBASH BABU, Advocate (SR-85173[F] dated 04/09/2019

Order made in

CRL.O.P (MD) No.4995 of 2019

03.09.2019

Arul

MS/19.09.2019/2P.5C

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