



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.12553 of 2019

and

Crl.M.P(MD) No.7826 of 2019

WEB COPY

1. Mayan Ramesh
2. Rajasulochana ...Petitioners/Petitioners

Vs.

1. The State represented by
The Deputy Superintendent of Police
Karaikudi Range
Karaikudi, Sivagangai District

2. The State Represented by
The Sub Inspector of Police
Karaikudi North Police Station
Karaikudi, Sivagangai District

3. Arumugam ...Respondents/Respondents

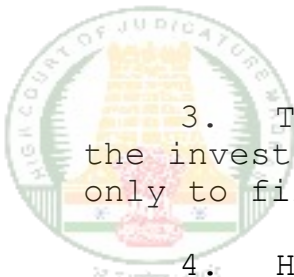
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the proceedings of the First Information Report in Crime No. 227 of 2018 on the file of the second respondent police and quash the same as against the petitioners herein.

For Petitioners	:	Mr.M.GaneshKamu
For Respondents	:	Mr.K.Suyambulinga Bharathi
No.1 and 2		Government Advocate(Crl.Side)

ORDER

This petition has been filed to quash the proceedings of the First Information Report in Crime No. 227 of 2018 on the file of the second respondent police.

2. The learned Counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Without any base, the second respondent police registered a case in Crime No.227 of 2018 for the offences under Sections 341,32,379, 506(i) of IPC r/w. Section 3(1)(r) and 3(1)(s) of SC/ST Atrocities Amendment Act 2015 , as against the petitioners. 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 Mr.M.Ganesh Kamu, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned counsel appearing for the first and second 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 2018, the second respondent is directed to complete the investigation in Crime No.227 of 2018 and file a final report within a period of two 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 petition is closed.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Deputy Superintendent of Police
Karaikudi Range
Karaikudi, Sivagangai District
2. The Sub Inspector of Police
Karaikudi North Police Station
Karaikudi, Sivagangai District



3.The Additional Public Prosecutor
Madurai Bench of Madras High Court

+1 CC to M/s.M.GANESH KAMU, Advocate (SR-86406[F] dated
12/09/2019)

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Crl.O.P.(MD) No.12553 of 2019
and
Crl.M.P(MD) No.7826 of 2019
13.09.2019

AAV

KK/SAR/10.10.2019/3P-5C/