



**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.12237 of 2019

and

CrI.M.P (MD) No.7673 of 2019

Vijayan ... Petitioner/Sole Accused

Vs.

1. The Inspector of Police,  
All Women Police Station  
Musiri  
Trichy District

..1<sup>st</sup> Respondent/Respondent

2. Chandra ... Respondents/Defacto Complainant

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records in Cr.No.3 of 2019 on the file of the All Women Police Station, Munisri and quash the same as illegal

For Petitioner : Mr.S.Muthukrishnan

For Respondent : Mr.K.Suyambulinga Bharathi  
For R1 Government Advocate(Crl.Side)

**O R D E R**

This petition has been filed to quash the F.I.R. in Crime No.03 of 2016 registered by the first respondent police for offences under Section 376(2)(1) 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. Without any base, the first respondent police registered a case in Crime No.3 of 2019 for the offences under Sections 376(2)(1) of IPC, as against the petitioner. Hence he prayed to quash the same.

3. The learned Government Advocate(Crl.Side) would submit that the petitioner has committed serious offence against the victim girl who is aged about 36 years and she is a mentally ill person. He would further submit that investigation is



almost completed and the respondent police have only to file final report.

4. Heard Mr.S.Muthukrishnan, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned Government Advocate(Crl.Side) 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 First Information Report. Hence this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,  
All Women Police Station  
Musiri  
Trichy District

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

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and

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