



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.O.P.(MD)No. 16221 of 2019

and

CrI.M.P.(MD) No. 9668 of 2019

WEB COPY

1.Muthualagu
2.Subramanian
3.Sanjeevi

... Petitioners/Accused Nos.1,2 & 4
Vs

1.The State through
The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
(Cr.No.474 of 2019)

... 1st Respondent/ Complainant

2.Sundaramahalingam
Complainant

...2nd Respondent / Defacto

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the entire records in Crime No.474 of 2019 pending on the file of the first respondent and quash the same as illegal.

For Petitioners : Mr.P.Ganapathi Subramanian
For 1st Respondent : Mrs.S.Bharathi
Government Advocate (crl. Side)
For 2nd Respondent : Mr.R.Karunanidhi

ORDER

This petition has been filed to quash the proceedings in Crime No.474 of 2019 pending on the file of the first respondent.

2.The learned Counsel appearing for the petitioners would submit that the petitioners did not commit any offences as alleged in the impugned FIR. Without any basis, the first respondent police registered a case as against the petitioners in Crime No.474 of 2019 for the offences under Sections 420 and 506(i) of IPC. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit that investigation is still pending and this petition is in premature stage and hence, he prayed for dismissal of this petition.

4. Perused the materials available on record.

5. It is seen from the First Information Report that there are 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 investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

6.In view of the above, this Court is not inclined to quash the FIR. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed. However, the first respondent is directed to complete the investigation in Crime No.474 of 2019 within a period of Three Months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

vsg

To

1.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.

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

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-105033[F]
Crl.O.P.(MD)No. 16221 of 2019
and
Crl.M.P.(MD) No. 9668 of 2019
12.12.2019

SMA /06/01/2020/2P/4C