



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2019

CORAM:

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

CrI.O.P. (MD)No. 20959 of 2018

WEB COPY

1. Ajithi @ Muruganantham
2. Thavam @ Nallusamy
3. Selvam

... Petitioners/A1 to A3

Vs

1. The State rep. by the Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(Crime No. 225 of 2016)

2. Manjur Alikhan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records for the FIR under Crime No. 225 of 2016 dated 20.06.2016 on the file of the first respondent police and to quash the same.

For Petitioner: Mr.M. Jegadeesh Pandian

For R-1 : Mrs.S.Bharathi
Government Advocate (crl. Side)

For R-2 : Mr.M. Karunanithi

ORDER

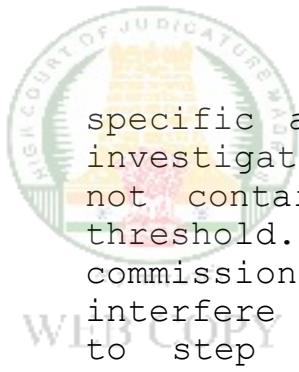
This petition has been filed to quash the FIR in Crime No.225 of 2016 on the file of the first respondent police as against the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offences as alleged in the impugned FIR. Without any base, the first respondent police registered a case as against the petitioner in Crime No. 225 of 2016 for the offences under Sections 147, 341, 294(b), 323 of IPC. The impugned FIR has been registered under the false allegations. Hence he prayed to quash the same.

3. The learned Government Advocate (criminal side) would submit that the investigation is still pending and this petition is a 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 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, this Court is not inclined to quash the FIR. Accordingly, this criminal original petition is dismissed. However, the first respondent is directed to 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 jurisdictional Magistrate. However, liberty is granted to the petitioner to file a petition.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.20959 of 2018

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KM/(22.01.2020) 2P 3C