



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.12.2019**

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD)No. 18167 of 2019

and Crl.M.P.(MD) No. 10690 of 2019

WEB COPY

Chinnaraja @ Chinnaraj

... Petitioner/Accused No.2

Vs

1. The State of Tamil Nadu,
rep. By The Inspector of Police,
Vadamadurai Police Station
Dindigul District

... 1st Respondent/Complainant

2. Soundhirarajan

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to quash the FIR in Crime No. 312 of 2019 dated 11.07.2019 on the file of the first respondent as against the petitioner.

For Petitioner
For Respondent
No.1

: Mr.R.Manimaran
: Mrs.S.Bharathi
Government Advocate (crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No. 312 of 2019 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. 312 of 2019 for the offences under Section 387 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 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 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 also dismissed. Further the learned counsel for the petitioner submitted that the complaints are motivated and if it so, the petitioner is at liberty to file a fresh representation to the superior authorities for transfer of investigation.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

ksa

To

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

+1 CC to MR.R.MANIMARAN, Advocate (SR-104078[F] dated 09/12/2019)

Crl.O.P.(MD)No. 18167 of 2019
and Crl.M.P.(MD) No. 10690 of 2019

05.12.2019

(1/2)

—
MK (19.12.2019) 2P 4C