



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2019**

CORAM:

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

Cr1.O.P. (MD) No.17931 of 2019

and Cr1.M.P. (MD) No.10538 of 2019

WEB COPY

1.N.S.Mani
2.R.Alagarpandi
3.K.Murugan
4.R.Sakthivel
5.M.Mariyappan
6.P.Chinnasamy
7.S.Arumugam
8.L.Chinnasamy
9.K.Palanichamy
10.K.Thangam
11.Venkatesh

... Petitioners/
Accused No.1 to 11

Vs

1.State through
The Inspector of Police,
Samayanallur Police Station,
Samayanallur, Madurai District.
In Crime No.319 of 2019.

... 1st Respondent/Complainant

2.Arumugam

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records in Cr.No.319 of 2019 on the file of the first respondent dated 04.11.2019 and quash the same as illegal.

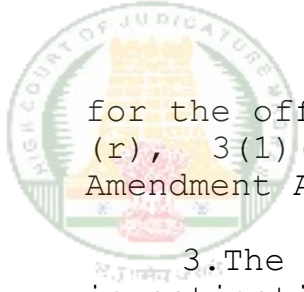
For Petitioners : Mr.K.A.Nandhagoban

For R1 : Mr.S.Chandrasekar,
Additional Public Prosecutor.

ORDER

This petition has been filed to quash the FIR in Crime No.319 of 2019 on the file of the first respondent police as against the petitioners.

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 base, the first respondent police registered a case as against the petitioners in Crime No.319 of 2019



for the offences under Sections 294(b), 506(i) IPC and Sections 3(1)(r), 3(1)(1)(A), 3(1)(zc) of SC/ST (Prevention of Atrocities) Amendment Act, 2015. Hence he prayed to quash the same.

3.The learned Additional Public Prosecutor 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, FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in the threshold. This Court finds that 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 First Information Report in Crime No.319 of 2019. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. However, the respondent Police is directed to complete the investigation and file final report before the concerned Court 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)

gns

To

1.The Inspector of Police,
Samayanallur Police Station,
Samayanallur, Madurai District.

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

+1 CC to M/s.V.MUTHU SAMUNDEESWARAN, Advocate (SR-103536[F]

Cr1.O.P.(MD)No.17931 of 2019
04.12.2019

scr(CO)

TR(02.01.2020) 2P 4C

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