



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P. (MD) No. 18256 of 2019

and Crl.M.P. (MD) No. 10749 of 2019

1. K.R.Sree Prasath
2. Deepan Chakravarthi

... Petitioners

Vs

1. The Inspector of Police,
C-3 S.S. Colony Police Station
Madurai

2. Padmanaban

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the First Information Report in Crime No.912/2019 dated 19.09.2019 on the file of the Respondent No.1 and Quash the same

For Petitioners : Mr.T.Lajapathiroy

For Respondent : Mrs.S.Bharathi
No.1 Government Advocate (crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No. 912 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. 912 of 2019 for the offences under Sections 294(b), 324 and 506(ii) of IPC. He would further submit that there is an apprehension that the respondents are conducting investigation in favour of the second respondent/defacto complainant. 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. However the Assistant Commissioner of Police, Thideer Nagar is directed to monitor the investigation done by the first respondent police.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
C-3 S.S. Colony Police Station
Madurai

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

+1 CC to M/s.M/S.T.LAJAPATHI ROY, Advocate (SR-104246[F] dated 10/12/2019)

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KG (CO)
TR(06.01.2020) 2P 4C