



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.12.2019**

CORAM:

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

Crl.O.P. (MD)No. 18628 of 2019

and Crl.M.P. (MD) No. 10939 of 2019

WEB COPY

1. Kannan
2. Sridhar
3. Manoj
4. Ajithkumar
5. Dhinesh
6. Johnpeter
7. Vellaikalai
8. Manikandan

... Petitioners/Accused 1 to 8
Vs

1. The Inspector of Police
Dhadikombu Police Station
Dindigul District

... 1st Respondent / Complainant

2. Siva

... 2nd Respondent / Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the FIR in Crime No.12 of 2019 on the file of the respondent police and quash the same as illegal

For Petitioners : Mr.S.Sukumar
For Respondent : Mrs.S.Bharathi
No.1 Government Advocate (Crl. Side)

ORDER

This petition has been filed to quash the FIR in Crime No.12 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 actually the petitioners are victims. On the complaint given by the first petitioner a case has been registered as against the defacto complainant in Crime No.11 of 2019 for the offences under Sections 147,148,294(b),323,506(ii),307 of IPC and Section 3 (1) of TNPPDL Act. He would further submit that infact the defacto complainant in this crime number 12 of 2019 and his associates are aggressors and that they have given some money to the defacto complainant and they have also threatened them at 11.30p.m on 15.01.2019 and the entire occurrence are recorded in the CCTV footage and prior to that he has shown some image with aruval in the whatsapp and as a counter blast false complaint has been given against the petitioner which is abuse of process of law. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit

<https://hcservices.ecourts.gov.in/hcservices/>



that investigation in this case and counter case has been transferred to the Deputy Superintendent of Police, Dindigul on 13.09.2019 and investigation is going on and hence, she 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 in Crime No. 12 of 2019. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. Further the respondent police is directed to complete the investigation and file final report before the concerned Court in both the crime number following the police standing order and file final report within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

aav

To

1. The Inspector of Police
Dhadikombu Police Station
Dindigul District

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

+1 CC to M/s.M/S.S.SUKUMAR, Advocate (SR-105426[F] dated 17/12/2019
Crl.O.P.(MD)No. 18628 of 2019
and Crl.M.P.(MD) No. 10939 of 2019

13.12.2019

SMA/07/01/2020/2P/4C