



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2020

CORAM:

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

Crl.O.P.(MD)No. 981 of 2020

and Crl.M.P.(MD) No. 432 of 2020

G. Jayakumar

... Petitioner/Sole accused

Vs

1. State rep. by
The Inspector of Police,
Keelathooval Police Station,
Keelathooval, Ramanathapuram District.
(Crime No. 132 of 2019)

2. S. Elango ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to the impugned FIR in Crime No.132/2019 dated 14.12.2019 on the file of the 1st respondent and to quash the same as illegal.

For Petitioner : Mr.SP. Vijay Nivas
For R-1 : Mrs.S.Bharathi
Government Advocate (crl. Side)

ORDER

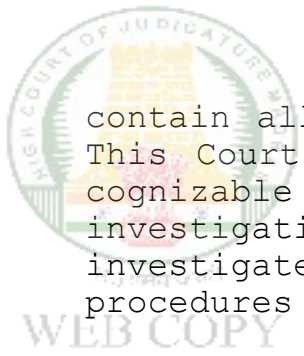
This petition has been filed to quash the FIR in Crime No.132 of 2019 on the file of the first respondent police as against the petitioner.

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. 132 of 2019 for the offences under Sections 279 and 304(A) of IPC. He would further submit that the first respondent has registered the FIR against the petitioner, only in order to enable the rider of the motor cycle to get compensation under Motor Accident Claim. 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. Consequently, connected miscellaneous petition is also 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.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Keelathooval Police Station,
Keelathooval, Ramanathapuram District.

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

+1 CC to M/s.SP.VIJAYNIVAS, Advocate (SR-2664[F] dated 23/01/2020)

Crl.O.P.(MD)No.981 of 2020

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SMA/12/02/2020/2P/4C