



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2020

CORAM:

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

Crl.O.P.(MD).No.724 of 2020

and

Crl.M.P.(MD).No.293 of 2020

1.Visuvasini

2.Murali

.. Petitioners

Vs.

1.The Sub Inspector of Police,
Palanichettypatti Police Station,
Palanichettypatti,
Theni District.
(Crime No.306 of 2019)

2.Saranya

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in FIR in Crime No.306 of 2019 on the file of the Sub Inspector of Police, Palanichettypatti Police Station, Palncihettypatti, Theni District and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.M.Kaliraj
For 1stRespondent : Mrs.S.Bharathi,
Government Advocate (Crl. Side)

ORDER

This petitioner has been filed to quash the proceedings in Crime No.306 of 2019 on the file of the Sub Inspector of Police, Palanichettypatti Police Station, Palncihettypatti, Theni District.

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.306 of 2019 for the offences under Sections 294(b), 324, 341 and 506(ii) of IPC. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) appearing for the first respondent police would submit that investigation is still pending and this petition is in premature stage 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.306 of 2019. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed. Further the first 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)

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Sub Assistant Registrar(CS)

vsg

To:

1.The Sub Inspector of Police,
Palanichettyatti Police Station,
Palanichettyatti,
Theni District.

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

+1 CC to M/s.M.KALIRAJ, Advocate (SR-2163[F] dated 21/01/2020)

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SMA/03/02/2020/2P/4C