



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2020

CORAM:

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

Crl.O.P.(MD).No.1212 of 2020

1.Paraman
2.Raja
3.Ramasamy
4.Suvendran
5.Rajeshkannan
6.Tamilselvan
7.Karamani
8.Eswaran
9.Murugan
10.Baskaran
11.Udayan
12.Tamilarasan
13.Veeranan
14.Loganathan
15.Selvam
16.Annadurai
17.Jeyakumar

... Petitioners

Vs.

1.State rep. by
The Inspector of Police,
Highways Police Station, Theni District.
(Crime No.103 of 2018)

2.Palanivel

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records relating to FIR in Crime No.103 of 2018 dated 05.10.2018 on the file of the Inspector of Police, Highways Police Station, Theni and quash the same as against the petitioner.

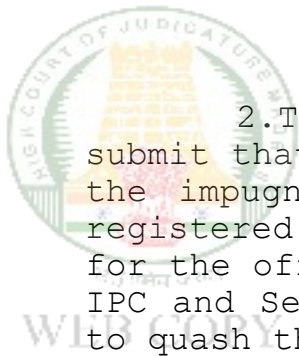
For Petitioners: Mr.S.Mahendrapathy

For R1 : Mrs.S.Bharathi

Government Advocate (Crl. Side)

O R D E R

This petition has been filed to quash the proceedings in Crime No.103 of 2018 dated 05.10.2018 pending on the file of the Inspector of Police, Highways Police Station, Theni.



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 basis, the first respondent police registered a case as against the petitioner in Crime No.103 of 2018 for the offences under Sections 147, 447, 435, 294(b) and 506(ii) of IPC and Section 3 of Forest Conversion Act, 1983. 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. However, the first respondent is directed to complete the investigation in Crime No.103 of 2018 within a period of Three Months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Highways Police Station, Theni District.

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

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vsg

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