



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2020**

CORAM:

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

Crl.O.P. (MD)No. 1526 of 2020

and Crl.M.P. (MD) No. 709 of 2020

WEB COPY

1. Kohila
2. Karthik
3. Panneerselvam
4. Abdul Majith

... Petitioners/Accused Nos.2,4 to 6
Vs

- 1.The State through
The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.

...1st Respondent/Complainant

2. Amrin

...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No. 10 of 2019 dated 03.11.2019 on the file of the first respondent police and quash the same as illegal.

For Petitioners : Mr.K.Sivabalan

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

ORDER

This petition has been filed to quash the FIR in Crime No. 10 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 there is dispute between the first accused and his father-in-law in respect of some financial transactions and when the same was demanded by the son-in-law the father-in-law instigated the daughter-in-law to give complaint against them. He 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. 10 of 2019 for the offences under Sections 294(b), 355, 498(A) and 506(i) of IPC. 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, 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. 10 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 within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
All Women Police Station, Kulithalai,
Karur District.

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-4255[F] dated 31/01/2020)

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KK/SAR/14.02.2020/2P-4C/