



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2020

CORAM

WEB COPY

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

CRL.O.P (MD) No.2304 of 2020

and

Crl.M.P.(MD).No.1187 of 2020

Senthil Nathan

... Petitioner / Accused No.1

Vs

1.The State represented by,
The Inspector of Police,
Sakkattai Police Station,
Sivagangai District.
(Crime No.12 of 2020)

... 1st Respondent / Complainant

2.K.Seeni Raj

...2nd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records of FIR in Crime No.12 of 2020 on the file of the first respondent Police Station and quash the same as illegal.

For Petitioner : Mr.S.M.A.Jinnah

For 1stRespondent: Mrs.S.Bharathi,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to quash the proceedings in Crime No.287 of 2019 on the file of the first respondent Police Station.

2.The learned Counsel appearing for the petitioner would submit that there are CCTV footage and it shows that the petitioner is an innocent. He would further 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 against the petitioner in Crime No.12 of 2020 for the offence under Section 4(1-A) of the Tamil Nadu Prohibition Act. 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. Consequently, connected miscellaneous petition is closed. However, the first respondent is directed to complete the investigation in Crime No.12 of 2020 within a period of Three Months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Sakkattai Police Station,
Sivagangai District.

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

Order made in
CRL.O.P (MD) No.2304 of 2020
11.02.2020

vsg

SDS (02.03.2020) 2P-3C