



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2020

CORAM

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

CRL.O.P (MD) No.2322 of 2020

and

Crl.M.P.(MD).No.1199 of 2020

A.Vasagan

... Petitioner

Vs

1.The State represented by,
The Inspector of Police,
Vadasery Police Station,
Nagercoil,
Kanyakumari District.
(Crime No.287/2019)

2.Antony Penister

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for the records in connection with the FIR in Crime No.287 of 2019 pending on the file of the first respondent Police and quash the same.

For Petitioner : Mr.L.George Paul Anto

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.12 of 2020 on the file of the first respondent Police Station.

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.287 of 2019 for the offences under Sections 294(b), 323, 324 and 506 (ii) 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



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.287 of 2019 within a period of Three Months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg
To

1. The Inspector of Police,
Vadasery Police Station,
Nagercoil, Kanyakumari District.

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

+1 CC to M/s.L.GEORGE PAUL ANTO, Advocate (SR-5704[F] dated
11/02/2020)

Order made in
CRL.O.P (MD) No.2322 of 2020
and
Crl.M.P. (MD) .No.1199 of 2020

vr(CO)
TR(27.02.2020) 2P 4C