



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2020

CORAM:

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

Crl.O.P.(MD).No.3144 of 2020

and

Crl.M.P.(MD).No.1651 of 2020

WEB COPY

Shakkilabanu

...Petitioner/Accused No.2

Vs.

1.State through rep. by,
The Inspector of Police,
All Women Police Station,
Pattukottai,
Thanjavur District.
(in Crime No.14 of 2019)

... Respondent/Complainant

2.Jannathul Birthous

...2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records and quash the FIR registered against the petitioner/Accused No.2 in Crime No.14 of 2019 on the file of the first respondent/complainant.

For Petitioner : Mr.P.Aju Tagore

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

O R D E R

This petition has been filed to quash the proceedings in Crime No.14 of 2019 on the file of the first respondent/complainant.

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.14 of 2019 for the offences under Sections 498-A and 294(b) of IPC and Section 4 of Dowry Prohibition Act, 1961. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) appearing for the first respondent 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

vsg

To:

1. The Inspector of Police,
All Women Police Station,
Pattukottai,
Thanjavur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P.(MD).No.3144 of 2020
and
Cr1.M.P.(MD).No.1651 of 2020
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KK/03.03.2020/2P-3C