



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.[MD] No.3626 of 2020

and

Crl.M.P.[MD]No.1956 of 2020

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1.Surulivel
2.Ramaprabhu
3.Jeganathan

: Petitioners/ A1 to A3

vs.

1.State Rep. by
The Inspector of Police,
Odaipatti Police Station,
Theni District.
(Crime No.9 of 2020)

:1st Respondent/Complainant

2.Selvaraj

:2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the impugned F.I.R. In Crime No.9 of 2020, on the file of the first respondent police and quash the same and insofar as the petitioners concerned.

For Petitioners : Mr.R.Murugan

For R1 : Mrs.S.Bharathi
Government Advocate (Crl. Side)

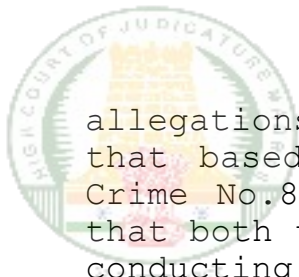
O R D E R

This petition has been filed to quash the impugned F.I.R. In Crime No.9 of 2020, on the file of the first respondent police.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl. Side) appearing for the first respondent.

3.The learned counsel for the petitioners would submit that though the occurrence is said to be happened on 01.01.2020, the case has been registered only on 14.01.2020 and there is absolutely no injury on the de-facto complainant.

4.The learned Government Advocate (Crl. Side) would submit that it is a case of case in counter case and that there are specific



allegations made against the petitioners. She would further submit that based on the complaint given by the petitioners, a case in Crime No.8 of 2020 has been registered. She would further submit that both the cases are case in counter case and the respondents are conducting investigation in both the cases.

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5. Perused the materials available on record.

6. 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.

7. In view of the above, this Court is not inclined to quash the FIR in Crime No.9 of 2020. 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 (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1. The Inspector of Police,
Odaipatti Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.[MD] No.3626 of 2020
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