



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2020

CORAM:

WEB COPY

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

Crl.O.P.(MD).No.3096 of 2020

and

Crl.M.P.(MD).No.1637 of 2020

- 1.Pounraj
- 2.Pandeeswari @ Lakshmi
- 3.Mathiselvi

..Petitioners/A1 to 3

Vs.

- 1.The State Rep. By,
The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
(Crime No.31 of 2019)

...1st Respondent/Complainant

- 2.Prema

.. 2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to FIR in Crime No.31 of 2019 dated 26.11.2019 on the file of the first respondent Police and quash the same.

For Petitioners : Mr.T.Veerakumar

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.31 of 2019 dated 26.11.2019 on the file of the first respondent Police.

2.The learned Counsel appearing for the petitioners would submit that the petitioners did not commit any offences as alleged in the impugned FIR. Without any basis, the first respondent police registered a case as against the petitioners in Crime No.31 of 2019 for the offences under Sections 498-A, 406, 323, 294(b) and 506(i) of IPC. 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.

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.31 of 2019 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)

vsg

To:

1. The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.

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

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KM/ (02.03.2020) 2P 3C

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