



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2020

CORAM:

WEB COPY

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

**Cr1.O.P.[MD] No.3743 of 2020 and
Cr1.M.P.(MD)No.2042 of 2020**

1. Lakshmanan
2. Alagi
3. Mathi @ Mathivanan
4. Raman
5. Natchammal
6. Rajesh

... Petitioners/
Accused No.3 to 5&7 to 9

Vs

1. The State rep. by,
The Inspector of Police,
All Women Police Station,
Sivagangai, Sivagangai District.
(Crime No.3 of 2020)

... 1st Respondent/Complainant

- 2.Packiyam

... 2nd Respondent/
Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in FIR in Crime No.3 of 2020, dated 29.01.2020 on the file of the first respondent police and quash the same against the petitioners.

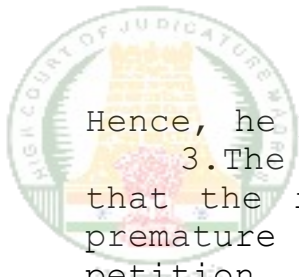
For Petitioners : Mr.M.Ramu

For R1 : Mrs.S.Bharathi
Government Advocate (Criminal side)

O R D E R

This petition has been filed seeking to quash the First Information Report in Crime No.3 of 2020, 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 base, the first respondent police registered a case as against the petitioners in Crime No.3 of 2020, for the offences under Sections 294(b), 494 and 109 of IPC.



Hence, he prayed to quash the same.

3.The learned Government Advocate (criminal side) would submit that the investigation is still pending and this petition is in premature stage and hence, she 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 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.

6.In view of the above, this Court is not inclined to quash the FIR in Crime No.3 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()

/True Copy/

Sub Assistant Registrar()

To

1.The Inspector of Police,
All Women Police Station,
Sivagangai, Sivagangai District.

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

+1 CC to M/s.M.RAMU, Advocate (SR-9258[F] dated 28/02/2020)

Order made in
Cr1.O.P.[MD] No.3743 of 2020 and
Cr1.M.P.(MD)No.2042 of 2020
28.02.2020