



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD).No.8204 of 2019

WEB COPY

Rajamanikam

.. Petitioner / Sole Accused

Vs.

1.The State through

Sub Inspector of Police,
M.Rattiyappati Police Station,
Virudhunagar District.
Crime No.69 of 2019
under Sections 294(b), 341,
353, 506 (i)

.. Respondent/Complainant

2.Sathivel HC-1578,

M.Rattiyappati Police Station,
Virudhunagar District.

.. Respondent / Defacto complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.69 of 2019 and quash the same on the hand of the M.Rattiyapatti Police Station.

For Petitioner : Mr.KR.Singaravadivel

For R-1 : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This petition has been filed to quash the proceedings in Crime No.69 of 2019 on the file of the first respondent Police.

2.The learned Counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged in the impugned FIR. Without any basis, the first respondent police registered a case as against the petitioner in Crime No.69 of 2019 for the offences under Sections 294(b), 341, 353 and 506 (i) of IPC. Hence he prayed to quash the same.

3.The learned Additional Public Prosecutor 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 First Information Report. Accordingly, this criminal original petition is dismissed. However, the first respondent is directed to complete the investigation in Crime No.69 of 2019, within a period of three (3) Months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1. The Sub Inspector of Police,
M.Rattiyappati Police Station,
Virudhunagar District.

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

+1 CC to M/s.KR.SINGARAVADIVEL, Advocate (SR-7142[F] dated 19/02/2020)

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tsg

SDS (02.03.2020) 2P-4C