



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.02.2020**

CORAM:

WEB COPY

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

Crl.O.P.[MD].No.18501 of 2018

and

Crl.M.P. (MD)No.8246 of 2018

Rajeswari : Petitioner / 2nd Accused

Vs.

1.State Rep. by its
The Inspector of Police,
Koodalpudur Police Station,
Madurai District.
(Crime No.477 of 2017)

: Respondent / Complainant

2.Nanthini : Respondent / Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records in connection with Crime No.477 of 2017, on the file of the first respondent police and quash the FIR.

For Petitioner : Mr.S.Poorna Chandran

For R-1 : Mrs.S.Bharathi
Government Advocate (Crl. side)

For R-2 : Mr.M.Jagadeesh Pandian

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.477 of 2017, 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 offences as alleged in the impugned FIR. Without any base, the first respondent police registered a case as against the petitioner in Crime No.477 of 2017, for the offences under Sections 147, 294(b), 323 and 506(2) of IPC and Section 4 of TN Prohibition of Harassment of Woman Act, 2002. He would further submit that the only allegation against the petitioner is that she came along with other accused. Other than that there is



no allegations against the petitioner. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) 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 in Crime No.477 of 2017. 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 (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
Koodalpudur Police Station,
Madurai District.

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

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