



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2020

CORAM:

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

Crl.O.P.(MD)No.17980 of 2019

and Crl.M.P.(MD)No.10565 of 2019

- 1.Subbu Lakshmi
2.Vijaya Lakshmi
3.Prema
4.Venkatesh
5.Mariammal

... Petitioners/Accused Nos.3 to 7
Vs.

- 1.The State Rep.by
The Inspector of Police,
All Women Police Station,
Valliyoor,
Tirunelveli District.
(Crime No.11 of 2019)

..Respondent/Complainant

- 2.Subashri ... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case in Crime No.11 of 2019 pending on the file of the Inspector of Police, All Women Police Station, Valliyoor, Tirunelveli District and quash the same as against the petitioner.

For Petitioners	: Mr.R.Anand
For R1	: Mr.S.Chandrasekar, Additional Public Prosecutor.
For R2	: Mr.V.Kathivelu, Senior Counsel, for Mr.K.Esakki.

ORDER

This petition has been filed to quash the FIR in Crime No.11 of 2019 on the file of the first respondent police as against the petitioner.

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.11 of 2019 for the offences under Sections 498(A), 406 IPC and Section 4 of Dowry Prohibition Act. 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 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.11 of 2019. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also closed. However, 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 (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Inspector of Police,
All Women Police Station,
Valliyoor,
Tirunelveli District.

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

+1 CC to MR.K.ESAKKI, Advocate (SR-4568[F] dated 04/02/2020)

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