



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.01.2020**

CORAM:

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

Crl.O.P.[MD].No.19499 of 2019

and

Crl.M.P.[MD].No.11447 of 2019

Murugesan

: Petitioner

Vs.

1.State Through

The Sub-Inspector of Police,
Uppiliyapuram Police Station,
Trichy District.
(Crime No.202 of 2019)

2.Vasantha

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records from the first respondent police in Crime No.202 of 2019 and quash the same as devoid of merits.

For Petitioner

: Mr.A.Haja Mohideen

For R-1

: Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.202 of 2019, pending 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.202 of 2019, for the offences under Sections 294(b), 323, 506(ii) of IPC and 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. Hence he prayed to quash the same.

3.The learned Additional Public Prosecutor 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.202 of 2019. Accordingly, this criminal original petition is dismissed with liberty to the petitioner to challenge the final report, if grounds are made out. 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 //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Sub-Inspector of Police,
Uppiliyapuram Police Station,
Trichy District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KK/SAR/31.01.2020/2P-3C/