



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P(MD).No.19675 of 2019

and

Crl.M.P.(MD).No.11473 of 2019

Aravinth

... Petitioner/Accused No.1

Vs.

1.State rep. by,
The Inspector of Police,
Mayanoor Police Station,
Karur District.
(Crime No.259/2019)

...Respondent/Complainant

2.Dhivya

... Respondent 2/Defacto Complainant

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to call for the records pertaining to the FIR in Crime No.259 of 2019 on the file of the Inspector of Police, Mayanoor Police Station, Karur District and quash the same and in so far as the petitioner concerned.

For Petitioner : Mr.V.Illanchezian
For 1st Respondent : Mrs.S.Bharathi,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to quash the proceedings in Crime No.259 of 2019 on the file of the Inspector of Police, Mayanoor Police Station, Karur District.

2.The learned Counsel appearing for the petitioner would submit that the petitioner did not commit any offences as alleged in the impugned FIR. He would further submit that in order to wreck vengeance at the civil dispute, a false case has been foisted against the petitioner. Without any basis, the first respondent police registered a case as against the petitioner in Crime No.259 of 2019 for the offences under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of TNPHW Act, 2002. 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. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed. However, the first respondent police is directed to complete the investigation in Crime No.259 of 2019 and file a final report within a period of Two Months from the date of receipt of a copy of this order. Consequently, the connected Crl.M.P.(MD).No.11473 of 2019 is closed.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg

To:

1.The Inspector of Police,
Mayanoor Police Station,
Karur District.

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

+1 CC to MR.V.ILLANCHEZIAN, Advocate (SR-946[F] dated
09/01/2020)

Crl.O.P(MD).No.19675 of 2019
and
Crl.M.P.(MD).No.11473 of 2019
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