



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.01.2020**

CORAM:

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

Crl.O.P. (MD) No.19679 of 2019

and

Crl.M.P. (MD) No.11476 of 2019

WEB COPY

1.T.Ashokan

2.T.Balaganesan

... Petitioners/Accused Nos.6 & 7

Vs.

1. State Rep.by the
Inspector of Police,
All Women Police Station,
Musiri,
Trichy District. ...1st Respondent/Complainant
(Crime No.13 of 2019)

2.Gayathiri. ...2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings FIR in Crime No.13 of 2019 on the file of the first respondent police and quash the same as illegal in respect of the petitioners.

For Petitioners : Mr.N.Anandakumar

For R1 : Mrs.S.Bharathi
Government Advocate (crl.side)

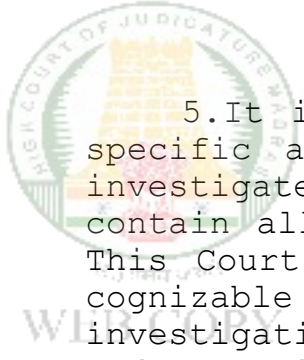
ORDER

This petition has been filed to quash the FIR in Crime No.13 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.13 of 2019 for the offences under Sections 498(A), 406 of IPC and Section 4 of the Dowry Prohibition Act, 1961. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) 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.13 of 2019. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (AD-II)

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/ /2020

Sub Assistant Registrar(CS)

gns

To

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

+1 CC to M/s.J.ANANDA KUMAR, Advocate (SR-2626[F] dated 23/01/2020)

Cr1.O.P.(MD)No. 19679 of 2019
22.01.2020

VB(07.02.2020) 2P 4C