



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.[MD] No.19667 of 2019

and

Cr1.M.P[MD]No.11471 of 2019

Radhika : Petitioner

vs.

1.The State rep. by
The Inspector of Police,
District Crime Branch,
Thoothukudi District,
(crime No.13 of 2019)

2.Ilakkumi : Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the First Information Report bearing Crime No.13 of 2019 on the file of the Inspector of Police, District Crime Branch, Thoothukudi, Thoothukudi District and consequently, quash the same as illegal, erroneous and devoid of merits.

For Petitioner : Mr.A.D.Ganeshamoorthi

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor (for R1)

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 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.13 of 2019 for the offences under Sections 420 and 468 of IPC. Hence, he prayed to quash the same.

3.The learned Additional Public Prosecutor appearing for the first respondent police 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.13 of 2019. 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 four months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
District Crime Branch,
Thoothukudi District,

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

+1 CC to M/s.A.S.GANESHA MOORTHY, Advocate (SR-1755[F]

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SMA/29/01/2020/2P/4C