



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2020

CORAM:

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

Crl.O.P.(MD)No. 19472 of 2019

and

Crl.M.P.(MD) No. 11425 of 2019

WEB COPY

Devarajan

... Petitioner

Vs

1.State rep. by,
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.152 of 2019)

2.Gopi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the impugned FIR in Crime No.152 of 2019 on the file of the first respondent Police and quash the same against the petitioner alone.

For Petitioner : Mr.S.Vikram

For 1st Respondent : Mrs.S.Bharathi
Government Advocate (crl. Side)

ORDER

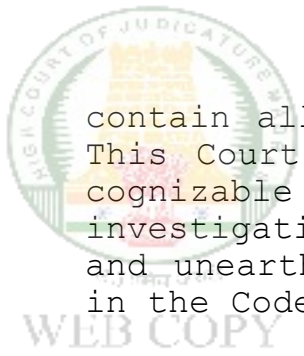
This petition has been filed to quash the proceedings in Crime No.152 of 2019 pending on the file of the first respondent.

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 basis, the first respondent police registered a case as against the petitioner in Crime No.152 of 2019 for the offences under Sections 294(b) and 323 of IPC. He would further submit that there is a delay in FIR reaching the Court. 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 is directed to complete the investigation in Crime No.152 of 2019 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)

vsg

To

- 1.The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No. 19472 of 2019
and
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