



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2022

CORAM:

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

CRL.O.P.No.2535 of 2022

and

CRL.M.P.No.1159 of 2022

J.Thulasingham,
S/o.Jayaraman

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Civil Supplies CID, Villupuram,
Villupuram District.
(Cr.No.76 of 2016)

... Respondent/Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records concerned in Crime No.76 of 2016 on the file of Inspector of Police, Civil Supplies CID, Villupuram, Villupuram District and quash the same.

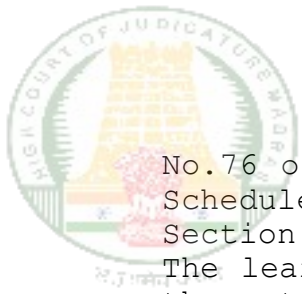
For Petitioner : Mr.C.Prakasam

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records in Crime No.76 of 2016 on the file of Inspector of Police, Civil Supplies CID, Villupuram, Villupuram District and quash the same.

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 respondent police registered a case as against the petitioner in Crime



No.76 of 2016 for the offences under Section 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982 read with Section 7(1) (a)(ii) of the Essential Commodities Act, 1955. The learned counsel for the petitioner would further submit that the petitioner has been falsely implicated in this case and till date no recovery has been made in this case. 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 in Crime No.76 of 2016. Accordingly, this Criminal Original Petition is closed. Consequently, connected Criminal Miscellaneous Petition is closed. Further, the respondent police is directed to complete the investigation and file a 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(LA)

//True Copy//

Sub Assistant Registrar

arb/nst



1. The Inspector of Police,
Civil Supplies CID, Villupuram,
Villupuram District.

2. The Public Prosecutor,
High Court of Madras.

CRL.O.P.No.2535 of 2022
and
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SR(CO)
SU(22/02/2022)