



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3187 of 2022

1. Dr.Sudhakar
2. J.Nithiyanandam ... Petitioners/Accused
No.1 and 2

Vs.

1. The State represented by,
Inspector of Police,
Ammapettai Police Station,
Andhiyoor Taluk,
Erode District.

2. Pavunayal ... Respondents/
Defacto Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records in Crime No.291 of 2021 dated 14.09.2021 on the file of the Inspector of Police, Ammapettai Police Station, Andhiyoor Taluk, Erode District and quash the same.

For Petitioners : Ms.P.V.Lakshmie

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to quash the FIR in Crime No.291 of 2021 dated 14.09.2021 on the file of the Inspector of Police, Ammapettai Police Station, Andhiyoor Taluk, Erode District.

2. The petitioners stand accused of committed offences punishable under Sections 294(b) and 308 IPC on the basis of the complaint lodged by the second respondent/de facto complainant, who is none other than the mother-in-law of the first petitioner.

3. Learned counsel appearing for the petitioner would submit that there are some matrimonial disputes between the parties which has been exaggerated and a false complaint has been given by the second respondent/de facto complainant.



4. Per contra, Mr. Gokulakrishnan, Additional Public Prosecutor would submit that there are materials available to proceed with the case as against the petitioner herein and at the threshold, the criminal proceedings cannot be quashed and the charges framed against the petitioners have to be gone into a full-fledged trial. He would further submit that the grounds raised by the petitioners are factual in nature and without any legal points and the proceedings cannot be quashed. Hence, he prayed for dismissal of the petition.

5. Heard the learned counsel and perused the materials available on record.

6. 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. Therefore, it cannot be quashed on 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.

7. In view of the above, this Court is not inclined to quash the FIR in Crime No.291 of 2021. Accordingly, this criminal original petition is dismissed. Further, the first respondent police is directed to complete the enquiry and file the final report as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CO)

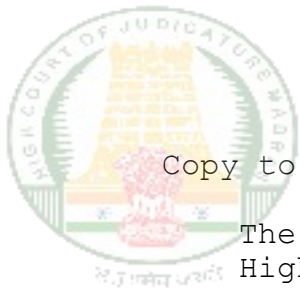
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Sub Assistant Registrar

ham/nti

To

1. The Inspector of Police,
Ammapettai Police Station,
Andhiyoor Taluk, Erode District.
2. The Public Prosecutor,
High Court of Madras.



Copy to

The Registrar Judicial
High Court Madras -104.

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+1cc to Mr.S.Udayakumar, Advocate, S.R.No.10020

Cr1.O.P.No.3187 of 2022

NRJK (CO)
CT (21/02/2022)