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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4180 of 2022

and

Crl.M.P.No.2082 of 2022

1. Raja
2. Praveen

... Petitioners

Vs.

1. The State represented by,
The Inspector of Police,
District Crime Branch,
Perambalur.
(Crime No.1 of 2018)

2. Selvakumar

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records pertaining to the proceedings in Crime No.1 of 2018 dated 06.06.2018 on the file of the Respondent Police and quash the same.

For Petitioners : Mr.E.C.Ramesh

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.1 of 2018 dated 06.06.2018 on the file of the Respondent Police.

2. The petitioners stand accused of committed offences punishable under Sections 406, 420, 468, 477 A, 294(b), 506(1) and r/w 34 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 money disputes between the defacto complainant and one Vetrivel, which has been exaggerated on the petitioners. He would further submit that the petitioners are innocent and they were falsely implicated in this case.

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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.1 of 2018. Accordingly, this criminal original petition is dismissed. Further, the first respondent/Police is directed to complete the investigation and file the final report as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rgi/ham



To

1. The Inspector of Police,
District Crime Branch,
Perambalur.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.4180 of 2022
and
Crl.M.P.No.2082 of 2022

MT (CO)
SU (21/03/2022)