



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

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THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4866 of 2022

and

Crl.M.P. No.2563 of 2022

1.K.S.Shankar

2.Suresh

... Petitioner/Accused 1,2

Vs.

1. State Represented by

The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram District.

...1st Respondent/Complainant

2. Sumathi

...2nd Respondent/Defacto Complainant

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the entire records relating to the impugned F.I.R dated 22.08.2021 registered in Crime No.1689 of 2021 pending on the file of the 1st respondent police and quash the same as illegal, arbitrary and abuse of process.

For Petitioner : Mr.R.Veeramani

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R1
R2 - No Appearance

ORDER

This petition has been filed to quash the FIR in Crime No.1689 of 2021 on the file of the first respondent-Police as against the petitioner.

2. The learned counsel for the petitioner submitted that, excepting the allegation by the de-facto complainant, wife of the deceased, that the persons, who have given loan to her husband, threatened her husband, no other material has been



elicited in the complaint. The averments do not make out charge for Section 306 I.P.C. Hence he prayed to quash the FIR.

3. Per contra, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the first respondent-Police submitted that the investigation is in the very initial stage. There are materials to show that the accused had threatened the husband of the de-facto complainant, due to which, he has committed suicide by hanging.

4. This Court perused the materials available on record.

5. It is seen from the First Information Report that there are specific allegations as against the petitioner, which has to be investigated. Further, the FIR is not an Encyclopaedia and it need not contain all facts. Further, it cannot be quashed at 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 observations, this Court is not inclined to quash the FIR in Crime No.1689 of 2021. Accordingly, this criminal original petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is closed.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

srn/ab

To

1. The Inspector of Police,
Sivakanchi Police Station,
Kancheepuram District.

2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.4866 of 2022
and
Cr1.M.P. No.2563 of 2022

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