



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3794 OF 2022

AND

CRL.M.P.NO.1817 OF 2022

1.N.Elumalai

2.N.Ramamoorthy

...Petitioners

Vs.

1.The State Represented By,
The Sub Inspector of Police,
Avalurpettai Police Station,
Melmalayanur Taluk,
Villupuram District.

...1st Respondent / Complainant

2.D.Kavitha

...2nd Respondent / Defacto Complainant

PRAYER : The Criminal Original Petition filed under Section 482 of Code of Criminal Procedure pleaded to call for the records connected with the FIR in Crime No.484 of 2021 dated 09.11.2021 pending investigation on the file of the 1st respondent police and quash the same in so far as petitioners/A4&A5 are concerned.

For Petitioners : Mr.K.Thilageswaran

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petition has been filed seeking to call for the records connected with the FIR in Crime No.484 of 2021 dated 09.11.2021 pending investigation on the file of the 1st respondent police and quash the same in so far as petitioners/A4&A5 are concerned.

2. Learned counsel for the petitioners would submit that the first petitioner/A4 is an Advocate, practicing in the High Court, Madras and on the complaint given by the petitioners' friends, a case in Crime No.482 of 2021 was registered against the father of the deceased. Thereafter, the father of the deceased had given a counter complaint in Crime No.483 of 2021. Subsequently, the victim committed suicide and false complaint has been initiated against the petitioners and their friends.



3. Per contra, learned Additional Public Prosecutor would submit that it is the case, where due to the disputes between the parties, the daughter of the second respondent/victim committed suicide and investigation regarding the same is in initial stage. He would further submit that the grounds raised by the petitioners are factual in nature. He would also submit that the first respondent will conduct fair investigation in all these cases and file the final report at the earliest.

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

5. 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.

6. In view of the above, this Court is not inclined to quash the FIR in Crime No. 484 of 2021. Accordingly, this criminal original petition is closed. Consequently, connected miscellaneous petition is also closed. Further, direction is issued to the first respondent police to complete the investigation and file the final report in all the cases within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

rgi/ham

To

1.The Sub Inspector of Police,
Avalurpettai Police Station,
Melmalayanur Taluk,
Villupuram District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Thilageswaran, Advocate Sr.No.12237

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GPL(CO)
RVM(16/03/2022)