



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.4934 of 2022
and CrI.M.P. No.2603 of 2022

Sagunthala

... Petitioner

Vs.

1. State Represented by

The Inspector of Police,
Sozhatharam Police Station,
Cuddalore District.
(Crime No.119 of 2019)

2. Sankar

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the entire records in Crime No.119 of 2019 on the file of the first respondent, viz., Inspector of Police, Sozhatharam Police Station, Cuddalore District insofar as this petitioner is concerned and quash the same.

For Petitioner : Mr.K.Balu

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.119 of 2019 on the file of the first respondent-Police as against the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner is arrayed as A9 in this case. The petitioner is working as a Noon Meal Organizer at Pudaiyur Main Road Anganwadi and during the relevant time, she was on training at her headquarters at Chidambaram. The alleged occurrence stated to be taken place on 30.08.2019. She was attending a training programme on 30.08.2019 from morning 10.00 a.m. to 5.00 p.m at Chidambaram and thereafter, she had also participated in the office meeting at Keerapalayam till 7.00 p.m. The defacto complainant, who has previous enmity towards the family of the petitioner on account of the existing civil suits pending



between them, had falsely implicated the entire family members including the petitioner to wreck vengeance. He would further submit that the petitioner was not at all present at the scene of occurrence during the relevant time and thereby he would seek to quash the proceedings.

3. Per contra, Mr.A.Gokulakrishnan, learned Additional Public Prosecutor appearing for the 1st respondent would submit that the petitioner has raised the ground of alibi, in respect of which, the proper investigation has to be done with regard to the same. The grounds raised by the petitioner are factual in nature and the 1st respondent should be allowed to continue the investigation with regard to the same and First Information Report can not be quashed in the inception stage itself.

4. Heard the learned counsels and 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 of Criminal Procedure.

6. In view of the above, this Court is not inclined to quash the FIR in Crime No.119 of 2019. However, it is stated that the petitioner is a Noon Meal Organizer and it is also stated that during the relevant time of occurrence, she was attending her work and that there are necessary documents to support her claim.

7. In view of the above, the 1st respondent is directed to conduct investigation with regard to the presence of the petitioner at the relevant place and to file the final report, taking into consideration the documents produced by the petitioner.

8. With these observations, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar



srn/ab

To

1. The Inspector of Police,
Sozhatharam Police Station,
Cuddalore District.

2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.Balu, Advocate, S.R.No.15465

Crl.O.P.No.4934 of 2022
and
Crl.M.P. No.2603 of 2022

MT (CO)
SB (25/03/2022)