



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5502 of 2022

and

Crl.M.P.No. 3009 of 2022

Mr.S.Arockiaraj

... Petitioner / Accused

Vs.

1. State represented by
The Inspector of Police (Law and Order)
S1 St.Mount Police Station,
St.Mount, Chennai 600 016

2. Miss.Seline Mary.A

...Respondents / Defacto Complainants

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to call for the records of FIR in Crime No.112 of 2018 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.Na.Malai Saravanan

For Respondent 1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Respondent 2 : No appearance

O R D E R

The Criminal Original Petition has been filed to call for the records of FIR in Crime No.112 of 2018 on the file of the 1st respondent police and quash the same.

2. The learned counsel for the petitioner would submit that the petitioner was earlier Catholic priest in the Society run by the 2nd respondent namely Daughters of Marry Immaculate Congregation (DMI) founded by Mr.Fr.Arul Raj. Since, the petitioner questioned the activities of the founder, he has been sent out of the society. Thereafter, based on the false complaint given by the sister in the Society, a case has been



registered against the petitioner. He would submit that till date the phone and what'sapp messages have not been recovered so far.

3. At this juncture, the learned Additional Public Prosecutor would submit that the case is in the initial stage. He would further submit that the Investigation is going on and the grounds raised by the petitioner are factual in nature.

4. Perused the materials available on record.

5. It is seen from the First Information Report that there are specific allegation as against the petitioner, which has to be investigated. Further the FIR is not an encyclopedia and it need not contain all facts. Further, it cannot be quashed in 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.

4. Based on the above said submissions, this Criminal Original Petition stands dismissed. However, a direction is issued to the respondent to file the final report within a period of four months from the date of receipt of a copy of this Order. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

nti/ssi
To

1. The Inspector of Police (Law and Order)
S1 St.Mount Police Station,
St.Mount,Chennai 600 016
2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.5502 of 2022

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NSK 29/03/2022