



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2022

WEB COPY

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.5901 of 2022

and

Crl.M.P.No.3274 of 2022

- 1.Sakthivel,
S/o.Pandurangan
- 2.Arasu,
W/o.Sakthivel
- 3.Kumaran,
S/o.Sakthivel
- 4.Murugan,
S/o.Sakthivel

... Petitioners/Accused (A1 to A4)

Vs

- 1.The Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
(Crime No.599 of 2018)

... Respondent/Complainant

- 2.Thirunavukarasu,
S/o.Thirumalai

... Respondent/Defacto Complainant

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.599 of 2018 on the file of the first respondent viz., The Inspector of Police, Chengam Police Station, Tiruvannamalai District and quash the same.

For Petitioners	:	Mr.M.R.Elavarasan
For Respondents	:	
For R1	:	Mr.A.Gokulakrishnan Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to call for the records in crime No.599 of 2018 on the file of the first respondent viz., The Inspector of Police, Chengam Police Station, Tiruvannamalai District and quash the same.



2. The learned counsel appearing for the petitioners would submit that due to previous enmity, a false complaint has been given against the petitioners and thereby he would seek to quash the proceedings.

WEB COPY

3. The learned Additional Public Prosecutor appearing for the first respondent would submit that it is a case where the petitioners/accused abused and attacked the second respondent/defacto complainant using wooden log. He would further submit that the investigation is still pending and this petition is in premature stage and hence, he prayed for dismissal of this petition.

4. Heard both sides and 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.

6. With the above observations, this Criminal Original Petition is dismissed. However, a direction is issued to the first respondent to complete the investigation in Crime No.599 of 2018 within a period of three months and file a final report before the Trial Court. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

rgm/arb

To

1.The Inspector of Police
Chengam Police Station,
Tiruvannamalai District.



2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.R.Elavarasan, Advocate SR.No.17636

CRL.O.P.No.5901 of 2022
and CrI.M.P.No.3274 of 2022

SKM(CO)
GN(28/03/2022)