



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.4999 of 2022
and Crl.M.P.No.2706 of 2022

Mani

...Petitioner / Accused

Vs.

1.The State represented by,
The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam.
(Crime No.650 of 2016)

2.Devarajulu

...Respondents / Complainant

PRAYER : This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records of the First Information Report registered in Crime No.650 of 2016 dated 30.08.2016, on the file of the Respondent, Arakkonam Town Police Station, Arakkonam, Vellore District and quash the same.

For Petitioner : Mr.M.L.Ramesh

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to call for the records of the First Information Report registered in Crime No.650 of 2016 dated 30.08.2016, on the file of the Respondent, Arakkonam Town Police Station, Arakkonam, Vellore District and quash the same.

2. The learned counsel appearing for the petitioner would submit that the petitioner was working as a Sub Post Master at Takkolam Post Office and he had made own deposits and later he was transferred to Palanipet Sub Post Office and he wanted to transfer the accounts (deposits) from Takkolam Sub Post Office to Palanipet Sub Post Office and decided to cancel the deposits. While transferring, by mistake, he had entered the deposit number



TAK 505015 twice and it was a genuine mistake. Enquiry was conducted by the 2nd respondent on behalf of the Postal Department. During departmental enquiry, it was found that it was only a genuine mistake and there was no misappropriation of money belonging to the Postal Department and finding that it was due to negligence, had imposed punishment of stoppage of two increments and thereafter, no action has been taken. Though the case has been registered during the year 2016, there is no progress in the investigation. He would further submit that the petitioner has also been allowed to retire from the Department.

3. Learned Additional Public Prosecutor would submit that the grounds raised by the petitioner are factual in nature and hence, he prayed for dismissal of this petition.

4. At this juncture, learned counsel appearing for the petitioner would submit that a direction may be issued to the 1st respondent to complete the investigation and file the final report at the earliest.

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

6. 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. 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.

7. In view of the above, this Court is not inclined to quash the FIR in Crime No. 650 of 2016. Accordingly, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is also closed. However, direction is issued to the 1st respondent to complete the investigation and file the final report as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

rgi/ham



To

1.The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam.

2.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.M.L.Ramesh, Advocate, S.R.No.15353

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SRA (CO)
RVM(24/03/2022)