



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5156 of 2022

and

Crl.M.P.No.2775 of 2022

Ayyappan

... Petitioner/Accused No.4

Vs.

1. The Inspector of Police,  
Marakkanam Police Station,  
Villupuram District.  
(Crime No.414 of 2018)

2. Maheswaran,  
S/o.Selvaraj,  
Village Administrative Officer,  
Koonimedu Village,  
M.Pudupakkam Village (Incharge),  
Villupuram District.

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crime No.414 of 2018, on the file of the Inspector of police, Marakkanam Police Station, Villupuram District and quash the proceedings in so far as it relates to the petitioner herein.

For Petitioner : Mr.A.Murugvel

For R1 : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

For R2 : No appearance

O R D E R

This Criminal Original Petition has been filed to quash the FIR in Crime No.414 of 2018, on the file of the first respondent police as against the petitioner.

2.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged



in the impugned FIR. Without any base, the first respondent police has registered a case as against the petitioner in Crime No. 414 of 2018, for the offences under Sections 143, 188, 341, 294(b), 353, 506(1) and 307 of IPC. He would submit that the case is of the year 2018 but till date the first respondent police has not completed the investigation and filed the final report. Further, he would submit that though this petition has been filed to quash the FIR, he prays for a direction to the respondent to complete the investigation and to file a final report.

3.The learned Additional Public Prosecutor appearing for the first respondent would submit that the investigation is still pending and this petition is in premature stage and hence, he prays for dismissal of this petition.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent. 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.In view of the above, this Court is not inclined to quash the FIR in Crime No.414 of 2018, however, a direction is given to the first respondent police to complete the investigation and file the final report before the concerned Court at the earliest possible preferably within a period of two months from the date of receipt of a copy of this order.

7.Accordingly, this Criminal Original Petition stands disposed of with the aforesaid direction. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

dua



To

1. The Inspector of Police,  
Marakkanam Police Station,  
Villupuram District.
2. Village Administrative Officer,  
Koonimedu Village,  
M.Pudupakkam Village (Incharge),  
Villupuram District.

+1cc to Mr.A.Murugavel, Advocate, S.R.No.15197

Cr1.O.P.No.5156 of 2022

and

Cr1.M.P.No.2775 of 2022

MT(CO)  
SU(23/03/2022)