



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM

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

CRL.O.P.NO.5464 OF 2022

AND

CRL.M.P.NO.2992 OF 2022

Arunbalan,
S/o.Iyyadurai

...Petitioner

Vs

1.The State Represented by
The Inspector of Police,
Thiruppapuliur Police Station,
Cuddalore District.

2.Mathavan,
S/o.Nagarajan

...Respondents

Prayer : Criminal Original petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records pertaining to the F.I.R. in Crime No.1686 of 2020 on the file of the first respondent police and quash the same.

For Petitioner	:	Mr.A.Velmurugan
For Respondents	:	
For R1	:	Mr.A.Gokulakrishnan
		Additional Public Prosecutor
For R2	:	No Appearance

ORDER

This Criminal Original Petition has been filed, to call for the records pertaining to the F.I.R in Crime No.1686 of 2020 on the file of the first respondent police and quash the same.

2. The learned counsel appearing for the petitioner would submit that there is no specific allegation against the petitioner and there is a delay of three days in giving the complaint.

3. The learned Additional Public Prosecutor appearing for the first respondent would submit that the petitioner is arrayed as A-5 in this case and he would further submit that the



investigation is in initial stage and the grounds raised by the petitioner are factual in nature. However, the delay in filing the complaint cannot be a ground to quash the proceedings. Further, the delay is also not large. 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. In view of the above, this Court is not inclined to quash the FIR in Crime No.1686 of 2020. Accordingly, this criminal original petition is dismissed. Further, the first respondent is directed to complete the investigation and file a final report before the concerned Court as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rgm/arb

To

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

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Velmurugan, Advocate, S.R.No.16945

Crl.O.P.No.5464 of 2022
and Crl.M.P.No.2992 of 2022

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