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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6145 of 2022

and

Crl.MP.No.3457 of 2022

Prince Santha Remo

...Petitioner / Accused

-Vs-

1. State of Tamil Nadu,  
Rep by its The Inspector of Police,  
Karamadai Police Station,  
Coimbatore.  
(Crime No.982 of 2021).

2.Asma Banu

..Respondents / Complainant /  
Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records pertaining to FIR No.982 of 2021 dated 27.12.2021 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.A.Gokulakrishnan  
Additional Public Prosecutor  
No appearance - R2.

O R D E R

This petition has been filed seeking to call for the records pertaining to FIR No.982 of 2021 dated 27.12.2021 on the file of the 1st respondent and quash the same.

2. The learned Counsel appearing for the petitioner would submit that the case has been registered only based on the suspicion and the respondent has not recovered the Mobile phone so far. Without any basis, the first respondent police



registered a case as against the petitioner in Crime No. 982 of 2021 for the offences under Sections 354 and 507 of IPC. Hence, he prayed to quash the same.

3. Per contra, the learned Additional Public Prosecutor would submit that the petitioner had earlier kidnapped the minor daughter of the defacto complainant, in respect of which a case has been registered against the petitioner in Cr.No.681 of 2021 for the provisions under POCSO Act. The petitioner after coming out on bail had sent threatening messages to the defacto complainant/mother of the victim. Further, the investigation is still pending and this petition is in premature stage and hence, he prayed for dismissal of this petition.

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.

6. In view of the above, this Court is not inclined to quash the FIR in Crime No. 982 of 2021. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also dismissed. Further the respondent police is directed to complete the investigation and file final report before the concerned Court within a period of six months from the date of receipt of a copy of this order.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,  
Karamadai Police Station,  
Coimbatore.



2. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.P.Balamurugan, Advocate, S.R.No.18954

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Cr1.O.P.No.6145 of 2022  
and  
Cr1.MP.No.3457 of 2022

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NSK 31/03/2022