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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6655 of 2022

and

Crl.M.P.No.3787 of 2022

N.Shankar

...Petitioner

Vs.

1. The State represented by,
The Inspector of Police,
CCIW, Dharmapuri,
Dharmapuri District.

2. T.C.Manikandan

...Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to call for the records and quash the FIR filed in Cr.No.1 of 2021 pending investigation on the file of the 1st respondent police in so far as the petitioner/Accused No.2 is concerned.

For Petitioner	: Ms.G.Punniakoti
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 and quash the FIR filed in Cr.No.1 of 2021 pending investigation on the file of the 1st respondent police in so far as the petitioner/Accused No.2 in concerned.

2. Learned counsel appearing for the petitioner would submit that the case against the petitioner is that by falsification of account, he had created criminal breach of trust and misappropriated an amount of Rs.3 lakhs. He would further submit that the petitioner had earlier approached this Court for Anticipatory Bail and during that time, the petitioner



was directed to deposit the amount and pursuant to that, he had also deposited the amount and thereby he would seek for quash the proceedings.

3. Per contra, the learned Additional Public Prosecutor would submit that it is the case where the petitioner, who is the Secretary in Sandapatti Primary Agricultural Co-operative Credit Society, had misappropriated an amount of more than Rs.3 lakhs by falsification of account. He would also submit that there are specific materials available as against the petitioner and the investigation is pending.

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

5. It is seen from the First Information Report that there are specific allegation as against the petitioners, 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.

6. In view of the above, this Court is not inclined to quash the FIR in Crime No. 1 of 2021. Accordingly, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rgi/ham
To

1. The Inspector of Police,
CCIW, Dharmapuri,
Dharmapuri District.



2. The Public Prosecutor,
High Court of Madras.

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+1 CC to Ms.G.Punniakoti, Advocate sr 19835.

CrI.O.P.No.6655 of 2022
and CrI.M.P.No.3787 of 2022

RSV (CO)
SP (08/04/2022)