



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.7850 of 2022 and
CrI.M.P.No.4552 of 2022

1.L.Baskar
2.L.Babu

...Petitioners/Accused 1 & 2

-Vs-

1.State represented by its
The Inspector of Police,
S-5, Pallavaram Police Station,
Tambaram City Commissioner.
(Crime No.532 of 2021)

..1st Respondent/Complainant

2.Renuka

..2nd Respondent/Defacto Complainant

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records in relating to Cr.No.532 of 2021 pending on the file of the first respondent and to quash the same.

For Petitioners	:	Mr.S.Vijayakumar
For Respondents	:	Mr.A.Gokulakrishnan
		Additional Public Prosecutor for R1

O R D E R

This Criminal Original Petition has been filed to call for the records in relating to Cr.No.532 of 2021 pending on the file of the first respondent and to quash the same.

2.The learned counsel for the petitioner would submit that there was a dispute between the mother of the petitioners and one Smt.Xavierammal who is the house owner. The petitioner's mother has filed Original Suit in O.S.No.355 of 2019 seeking for a permanent injunction restraining the Smt.Xavierammal/house owner, their men, agents, servants or anybody through them from interfering with the petitioner's mother peaceful possession and enjoyment of the house property. Whereas, on the instructions of Smt.Xavierammal, the 2nd respondent/defacto complainant who is her servant maid has given the complaint. He would submit



that earlier enquiry was conducted by the first respondent finding that there was no substance, it was closed thereafter, based on the direction from the Court complaint has been registered, he would submit that even as per the FIR, the second petitioner was not present in the scene of occurrence.

3. The learned Additional Public Prosecutor would submit that the first respondent is conducting the investigation in a fair manner. He would submit that the investigation is at initial stage. The grounds raised by the petitioners is factual in nature and as of now the petitioners have not made out any grounds to quash the proceedings. He would submit that the materials produced by the petitioners will be taken into consideration before filing the final report.

4. 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. 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.

5. In view of the above, this Court is not inclined to quash the FIR in Crime No.532 of 2021. Accordingly, this criminal original petition is 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jas/tsh

To

1.The Inspector of Police,
S-5, Pallavaram Police Station,
Tambaram City Commissioner.

2.The Public Prosecutor,High Court, Madras.

+1 cc to Mr.S.Vijayakumar, Advocate Sr.NO. 23984

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RSI (CO)

A.SK(20/04/2022)