



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8548 of 2022

and

Crl.M.P.No.4986 of 2022

1. Mrs.Chitra,
W/o.M.Anbarasu

2. Mr.Ezhilarasan
S/o.M.Anbarasu

... Petitioners

Vs

1. The State represented by,
The Inspector of Police,
Pallapatty Police Station,
Salem City.
(Crime No.764 of 2021)

2. Mrs.Valli,
W/o.Mohammed rafi

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., pleased to call for the records in Crime.No.764 of 2021 dated 08.12.2021 on the file of the Pallapatty Police Station, Salem City and to quash the same as against the petitioners for the offence under Sections 294(b), 323, 506(2) of I.P.C.

For Petitioners : Mr.Deepan Uday

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to call for the records in Crime.No.764 of 2021 dated 08.12.2021 on the file of the Pallapatty Police Station, Salem City and to quash the same as against the petitioners for the offence punishable under Sections 294(b), 323, 506(2) of I.P.C

2. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case. He would further submit that other than the quarrel between the petitioner's family and the defacto complainant's family, there was no such incident had happened as stated in the FIR.

3. The learned counsel for the petitioner would further submit that due to family dispute, the petitioner had earlier



filed a partition suit in 1995 and the suit was still pending before the Hon'ble Supreme Court in SLP.No.6750 of 2021 and thereby in order to take vengeance against the petitioner's family, the defacto complainant has given a false complaint against the petitioner and his family members.

4. The learned Additional Public Prosecutor for the respondent would submit that a complaint has been registered only on 06.12.2021 and the investigation is at initial stage. He would further submit that the petitioner has not made out any legal grounds seeking to quash the proceedings.

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. 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 proceedings in Crime No.764 of 2021. Therefore, the respondent police is directed to complete the investigation and file a final report before the concerned Court within a period of six months from the date of receipt of a copy of this order.

7. This Criminal Original Petition stands disposed of with the above observations and directions. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

rgm/ata

To

1. The Inspector of Police, Pallapatty Police Station,
Salem City. (Crime No.764 of 2021)

2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.8548 of 2022

and

Cr1.M.P.No.4986 of 2022

RR (CO)

<https://hcservices.ecourts.gov.in/hcservices/>

PR (29/04/2022)