



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2022

CORAM:

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

CRL.O.P.No.14374 of 2021
and
CRL.M.P.No.7838 of 2021

- 1.Mr.Panneer @ Panneerselvam,
S/o.Rajagopal
- 2.Mr.Kumar,
S/o.Rajagopal
- 3.Mr.Parthiban,
S/o.Paneer @ Panneerselvam
- 4.Mr.Balamurugan,
S/o.Paneer @ Paneerselvam
- 5.Mr.Balachandar,
S/o Paneer @ Panneerselvam
- 6.Mr.Prasanth,
S/o Kumar
- 7.Mrs.Nanthini
W/o.Parthiban
- 8.Mrs.Rani
W/o.Paneer @ Panneerselvam
- 9.Mrs.Manjula
W/o.Kumar

... Petitioners

Vs.

- 1.The State Represented by
The Inspector of Police,
Kumaratchi Police Station,
Cuddalore.
(Cr.No.693 of 2020)



2.Mrs.Kamatchi,
W/o.Thiyagarajan

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records connected with crime No.693 of 2020, on the file of the Inspector of Police, Kumaratchi Police Station, Cuddalore and quash the same.

For Petitioners : Mr.M.Mohammed Rafi

For Respondents :

For R1 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records in Crime No.693 of 2020 on the file of Inspector of Police, Kumaratchi Police Station, Cuddalore and quash the same.

2.The learned Counsel appearing for the petitioners would submit that the petitioners did not commit any offences as alleged in the impugned FIR. Without any base, the first respondent police registered a case as against the petitioner in Crime No.693 of 2020 for the offences under Sections 147, 148, 427, 294(b), 324, 506(2) and 379 of IPC. The learned counsel for the petitioners would further submit that the petitioners have been falsely implicated in this case and till date no recovery has been made in this case. Hence he prayed to quash the same.

3.The learned Government Advocate (criminal side) for the first respondent would submit that 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 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 FIR in Crime No.693 of 2020. Accordingly, this Criminal Original Petition is closed. Consequently, connected Criminal Miscellaneous Petition is closed. Further, the first respondent police is directed to complete the investigation and file a final report before the concerned Court within a period of four months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

arb/nst

To

1.The Inspector of Police,
Kumaratchi Police Station,
Cuddalore.

2.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.Javid Akbar, Advocate SR.No.8782

CRL.O.P.No.14374 of 2021
and

CRL.M.P.No.7838 of 2021

PL(CO)
CB(24/02/2022)