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CrI.O.P.(MD)No.3883 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

CrI.O.P.(MD) No.3883 of 2021

and

CrI.M.P.(MD).No.2157 of 2021

K.Nalini ... Petitioner / 1st Accused

Vs.

1.The State represented by
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.
Crime No.569 of 2017.

... 1st Respondent/Complainant

2.Mr.R.Prabath

... 2nd Respondent / Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records relating to Crime No.569 of 2017 on the file of the first respondent / police herein and quash the same as illegal insofar as the petitioner/A1 is concerned.

For petitioners	: Mr.S.Karthickramkumar
For R1	: Mr.R.M.Anbunithi, Additional Public Prosecutor
For R2	: Mr.S.Vijayashanthi

ORDER

This petition has been filed to quash the impugned FIR in Crime No.569 of 2017 on the file of the first respondent police.



2. The learned Counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would further submit that there is no material in the First Information Report to proceed against the petitioner. Without any base, the first respondent police registered a case in No.569 of 2017 for the offences under Sections 294(b), 323, 324 & 506(2) and Section 82(1) of Juvenile Justice (Care and Protection of Children) Act, 2015, as against the petitioner. Hence he prayed to quash the same.

3. The learned Additional Public Prosecutor would submit that there are 6 accused in this case. The petitioner herein is arrayed as A1. She was arrested and subsequently, released on bail. The other accused A2 and A3 have filed a separate petition before this Court seeking quashment of FIR. He would further submit that the investigation was completed and charge sheet is going to be filed before the learned Judicial Magistrate No.I, Dindigul. Further, the petitioner have behaved brutally with the defacto complainant and directed their officials to send out the defacto complainant and one Karthikeyan in a forcible manner. In that process, they got injuries. Hence, there is specific allegation against the petitioner. Hence, he vehemently opposed to allow this petition.



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4. Heard both sides.

5. It is seen from the First Information Report that there are specific allegations as against the petitioner to attract the offences, which has to be investigated in depth. Further the FIR is not an encyclopedia and it need not contain all facts and 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 step in to investigate, grab and unearth the crime in accordance with the procedures prescribed in the Code.

6. In view of the above discussion, this Court is not inclined to quash the First Information Report. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

18.04.2024

3/3

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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A.A.NAKKIRAN, J.

dss

To

- 1.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P.(MD) No.3883 of 2021
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