

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2019

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No.16756 of 2019
and WMP No.16364 of 2019

V.Baskaran

... Petitioner

vs.

1. The Police Complaints Authority,
Puducherry
Represented by its Chairman.
2. The Director General of Police,
Puducherry.
3. The Superintendent of Police,
P.C.R.Cell,
Puducherry.
4. The Inspector of Police,
C.B.C.I.D, Puducherry.
5. G.Sugumaran
6. Kowsalya

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records of the 1st respondent in relation to the order made in complaint No.141/PCA/2018 dated 13.03.2018 quash the same and consequently transfer the investigation in F.I.R No.71 of 2018 on the file of the Kalapet Police Station and presently investigated by the 3rd respondent to any other competent police officer.

For Petitioner : Mr.M.R.Thangavel

For Respondents: Mr.Bharathachakravarthi

Public Prosecutor for R1 to R4

ORDER

This petition has been filed to call for the records of the 1st respondent in relation to the order made in complaint No.141/PCA/2018 dated 13.03.2018 and quash the same.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor appearing for the respondents 1 to 4.

3. The contentions put forth by the learned counsel appearing on behalf of the petitioner is purely factual in nature and this Court cannot venture into conducting a mini investigation into the matter and it therefore does not fall within the ambit of its jurisdiction under Article 226 of constitution of India. Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.

4. In the facts and circumstances of the case, this Court is not inclined to interfere with the investigation conducted by the respondent Police at this stage.

5. In the result, this Writ petition is dismissed and the respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file a final report or a closure report, as the case may be, within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

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To

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Puducherry
Represented by its Chairman.
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Puducherry.
3. The Superintendent of Police,
P.C.R.Cell,
Puducherry.
4. The Inspector of Police,
C.B.C.I.D, Puducherry.

5. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to Mr.B.Mohan, Advocate sr 68544.
+1 CC to Mr.C. Anbu, Advocate sr 67819.

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RSV(CO)
SP(12/09/2019)