

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.20712 of 2019

and

Cr1.M.P.No.10663 of 2019

1.Gowri
2.Minor Parath @ Barathraj
3.Jeyamurugan
4.Sivaperumal
5.Tamilarasi Petitioners

Vs.

1.State represented by,
The Inspector of Police,
Thirukoilur Police Station,
Villupuram District.
(Crime No.270 of 2019)

2.Munusamy Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the Crime No.270 of 2019 on the file of the Inspector of Police, Thirukoilur Police Station, Villupuram District to quash the same.

For Petitioners : Mr.C.Prabakaran

For Respondents : Mr.M.Mohamed Riyaz (for R1)
Additional Public Prosecutor

O R D E R

This petition has been filed to call for the records relating to the Crime No.270 of 2019 on the file of the Inspector of Police, Thirukoilur Police Station, Villupuram District to quash the same.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

3.The contentions put forward by the learned counsel appearing on behalf of the petitioners are 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 Section 482 of Cr.P.C. 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.It is seen that based on the complaint given by one Mr.Anbazhagan, an FIR has been registered in Cr.No.273 of 2019 against the second respondent and others for the very same incident and the investigation is carried on in this FIR also. Therefore this Court cannot interfere with the investigation with regard to one FIR, since both the FIRs will have to be necessarily investigated in accordance with PS0588.

6.In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in Crime Nos.270 and 273 of 2019 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 a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

jas/vs

To

1.The Inspector of Police,
Thirukoilur Police Station,
Villupuram District.

2.The Public Prosecutor, High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate SR.No.66447

Cr1.O.P.No.20712 of 2019
and
Cr1.M.P.No.10663 of 2019

SPD(CO)
GMY(29/08/2019)