

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22412 of 2019

and

Crl.M.P.No.11655 of 2019

T.Jahangeer @ Kappalbhai ... Petitioner/Accused

Vs.

1.State represented by
The Inspector of Police,
DCB, Villupuram Police Station
(Crime No.50/2018) ... Respondent/Complainant

2.Rahemed John ...2nd Respondent/ Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in Crime No.50 of 2018 dated 08.12.2018 on the file of the First respondent herein DCB Villupuram police station and quash the same as illegal, arbitrary and abuse of process of law.

For Petitioner : Mr.A.Thiyagarajan, Senior Counsel
for Mr.S.Ramesh Kumar

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

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O R D E R

This petition has been filed to call for the records in Crime No.50 of 2018 dated 08.12.2018 on the file of the First respondent herein DCB Villupuram police station and quash the same as illegal, arbitrary and abuse of process of law.

2.Heard the learned counsel for the petitioner 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 petitioner 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.In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in Crime No.50 of 2018 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 three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vs

To

1.The Inspector of Police,
DCB, Villupuram Police Station.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Nalla Thambi , Advocate SR.No. 73588

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A.SK(18/09/2019)