

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22798 of 2019

and

Crl.M.P.No.11906 of 2019

Farhath Banu Petitioner/Accused

Vs.

1.The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu,
Chennai.
(Crime No.449/2019)1st Respondent/Complainant

2.Parthiban
Joint General Manager (Finance & Accounts),
Chennai Metro Rail Limited (CMRL),
Depot Admin Building,
Poonamallee High Road,
Koyambedu,
Chennai-107. 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the case in Crime No.449 of 2019 pending investigation on the file of the 1st Respondent and Quash the same with regard to the Petitioner.

For Petitioner : Mr.K.G.Senthil Kumar

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 case in Crime No.449 of 2019 pending investigation on the file of the 1st Respondent and Quash the same with regard to the Petitioner.

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.449 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 three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vs
To

1.The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.G.Senthilkumar, Advocate sr.73267

Cr1.O.P.No.22798 of 2019
and
Cr1.M.P.No.11906 of 2019

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srg 18/09/2019