

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.23388 of 2019
and Crl.MP No.12287 of 2019

T.Latha

...Petitioner/2nd Accused

-Vs-

1. The Inspector of Police,
Vishnukanchi Police station,
Kancheepuram.

...1st Respondent / Complainant

2. S.Ashok Kumar

...Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the FIR No.14 of 2019, Vishnukanchi Police Station, Kancheepuram, in respect of the 2nd accused alone.

For Petitioner : Mr.R.Ramanlaal

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

ORDER

This petition has been filed to call for the records in Crime No.14 of 2019, on the file of the 1st respondent and quash the same.

2. The learned counsel for the petitioner submitted that the petitioner is not living with A1 and there is already a matrimonial dispute pending between the parties. The learned counsel further submitted that there are documents to show that the petitioner is not involved in this case and on the date of the occurrence, the petitioner was working in the school and there are records to prove the same.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent.

4.The contentions put forth 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.

5. 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.

6. In the result, this Criminal Original 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.

rka

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Vishnukanchi Police station,
Kancheepuram.

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

+1cc to Mr.R.Ramanlal, Advocate, SR.No.75941

Kak(15/10/2019)

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