

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.23385 of 2019
and Cr1 MP No.12286 of 2019

T.Sulochana ... Petitioner/Accused No.4

vs.

1. State through
The Sub Inspector of Police,
Central Crime Branch EDF II,
Team IV, Vepery O,
Chennai - 600 007
...1st Respondent / Complainant

2. V.S.Ramakrishnan ...2nd respondent /Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.52 of 2018 now pending investigation on the file of the 1st respondent police and quash the same so far as it relates to the petitioner herein.

For Petitioner : Mr.R.Ganesh Kumar

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

ORDER

This petition has been filed to call for the records in Crime No.52 of 2018, on the file of the 1st respondent and quash the same.

2. The learned counsel for the petitioner submitted that the amount that has been paid by A1 to the petitioner was by virtue of repayment of loan, which was already given by the petitioner to A1. There are sufficient materials to substantiate the same. Therefore, the respondent police must be directed to take those materials into consideration at the time of investigation.

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 two months from the date of receipt of copy of this order. It goes without saying that the petitioner will be called for an enquiry and the petitioner will be permitted to submit all the materials before the respondent police and the same shall be considered during the course of investigation before filing of the final report. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Sub Inspector of Police,
Central Crime Branch EDF II,
Team IV, Vepery O,
Chennai - 600 007.

WEB COPY

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

+lcc to Mr.R.Ganeshkumar, Advocate Sr.74769

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BS (CO)
srg 27/09/2019



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