

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.OP No.12479 of 2017
and Crl.M.P.No.8122 of 2017

C.Muniasamy

...Petitioner/2nd Accused

vs.

1. The State of Tamil Nadu
Rep. by the Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District. ...1st Respondent/Complainant

2. Siva Samy ...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.752 of 2016 on the file of the 1st respondent and quash the same as against the petitioner.

For Petitioner : Mr. S.Anil Sandeep

For 1st Respondent : Mr. M.Mohamed Riyaz
Addl.Public Prosecutor

ORDER

This petition has been filed seeking to quash the FIR registered by the respondent Police and which is pending investigation.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3. The contentions put forward by the learned counsel appearing on behalf of the petitioner is 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. Admittedly, in this case, there is a case in counter in Crime No.748 of 2016 and 752 of 2016 for the very same incident and therefore, both the FIRs will have to be investigated in accordance with PSO 566.

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 in Crime Nos.748 of 2016 and 752 of 2016, within a period of four weeks from the date of receipt of a copy of the order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

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

+1 cc to M/s.S.Anil Sandeep,Advocate Sr.No. 73179

AKM/23.09.19/2P-4C /

Cr1.O.P. No.12479 of 2017
and Cr1.M.P.No.8122 of 2017

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