



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.10158 of 2017
and
Crl.M.P. (MD) No.6940 of 2017

R.Gopalakrishnan

... Petitioners/Accused No.3

Vs.

1) State rep. by

The Inspector of Police,
Vallioor Police Station,
Vallioor, Tirunelveli District.
Cr.No.452 of 2015

...R-1/Complainant

2) Oovaiyar

...R-2/ De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.452 of 2015 dated 08.12.2015 on the file of the 1st respondent police and quash the same against the petitioner alone.

For Petitioner: Mr.H.Arumugam
For Mr.S.Satheesh Kumar

For R-1 : Mr.M.Chandrasekar,
Additional Public Prosecutor

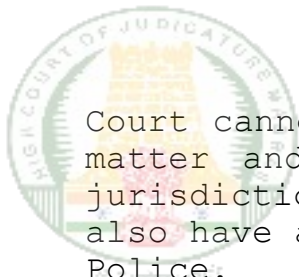
For R-2 : Mr.M.Karunanithi

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in F.I.R. in Crime No.452 of 2015 dated 08.12.2015 pending on the file of the 1st respondent police.

2. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing on behalf of the respondent Police and the learned counsel appearing for the second respondent.

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.

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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 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(3) months from the date of receipt of a copy of the order. Consequently, connected CrI.M.P.(MD) No.6940 of 2017 is closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
Vallioor Police Station,
Vallioor, Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M. KARUNANITHI, Advocate (SR-99869[F] dated 20/11/2019)

+1 CC to M/s.S. SATHESH KUMAR, Advocate (SR-100079[F] dated 21/11/2019)

Order made in
CrI.O.P. (MD) No.10158 of 2017

Dated:
20.11.2019

pm(CO)
TR(06.01.2020)2P 5C