



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.10561 of 2017

and

Crl.M.P.(MD) No.7238 of 2017

1) Palanikumar

2) Diwaharan

... Petitioners/ Accused Nos.2 & 3

Vs.

1) State rep. by

The Inspector of Police,

District Crime Branch,

Tuticorin,

Tuticorin District.

In Crime No.38 of 2015

... 1st Respondent/Complainant

2) S.Manickam

... 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the impugned F.I.R. in Crime No.38 of 2015 dated 04.11.2015 on the file of the 1st Respondent Police in so far as petitioners concerned and to quash the same as illegal.

For Petitioners	:	Mr.V.Kathirvelu, Senior Counsel for Mr.K.Prabhu
For R-1	:	Mr.M.Chandrasekaran, Additional Public Prosecutor
For R-2	:	No Appearance

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in F.I.R. in Crime No.38 of 2015, dated 04.11.2015, pending on the file of the 1st Respondent Police.

2. Heard the learned counsel for the petitioners 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 petitioners 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 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 Crl.M.P.(MD) No.7238 of 2017 is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Inspector of Police,
District Crime Branch,
Tuticorin, Tuticorin District.
In Crime No.38 of 2015
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.K.PRABHU, Advocate (SR-100771[F] dated 22/11/2019)

Order made in
Crl.O.P. (MD) No.10561 of 2017
Dated:20.11.2019

MK (09.01.2020) 2P 4C