



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.11471 of 2017
and
Crl.M.P.(MD) No.7882 of 2017

Shanmuganathan

... Petitioners/ Sole Accused

.Vs.

1. State Rep. by
The Sub Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
(Crime No.45/2017)

... R-1/ Complainant

2. Nagaraj

... R-2/ De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to Cr.No.45 of 2017 on the file of the 1st Respondent Police and quash the same.

For Petitioner : Mr.R.Karunanithi

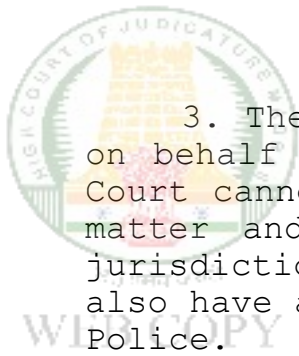
For R1 : Mr.S.Chandrasekar,
Additional Public Prosecutor.

For R2 : No Appearance

O R D E R

This Criminal Original Petition has been filed seeking to quash proceedings in Cr.No.45 of 2017 on the file of the 1st Respondent Police.

2. Heard the learned counsel for the petitioner 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 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.

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 two (2) months from the date of receipt of a copy of the order. Consequently, connected Crl.M.P.(MD) No.7882 of 2017 is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Sub Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD) No.11471 of 2017
Dated: 21.11.2019

JMN(11.12.2019) 2P : 3C