



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.13446 of 2017

and

Crl.M.P. (MD) No.9049 of 2017

P.Ayyasamy

... Petitioner/ 3rd Accused

Vs.

1) State rep. through
The Inspector of Police,
Aasaripallam Police Station,
Kanyakumari District.
Crime No.314 of 2016

... R-1/ Complainant

2) R.S.Makesh

... R-2/ De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in connection with the Crime No.314 of 2016 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.H.Velavadhas

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

O R D E R

This Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.314 of 2016 on the file of the first respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the first 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 eight(8) weeks from the date of receipt of a copy of the order. Consequently, connected Crl.M.P. (MD) No.9049 of 2017 is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

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

+1 CC to M/s.H. VELAVADHAS, Advocate (SR-102634[F] dated 29/11/2019)

Order made in
Crl.O.P. (MD) No.13446 of 2017
Dated:29.11.2019

sts

AE/ (03.01.2020) 2P 4C