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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) Nos.14921 & 16072 of 2017
and
Crl.M.P.(MD) Nos.9932 & 10638 of 2017

R.Ravindran ... Petitioner/Accused No.1 in
both Crl.O.P.'s

Vs.

1) State through
Inspector of Police,
Soolakkarai Circle Police Station,
Virudhunagar District,
In Crime No.141 of 2011 ... R-1/ Complainant in both
Crl.O.P's

2) Mr.Thirumaran,
Village Administrative Officer,
Villipathiri Village,
C/o Tahsildar,
Aruppukottai Taluk,
Virudhunagar District. ... Respondent/ De facto
Complainant in Crl.O.P(MD)
No.14921 of 2017

PRAYER in Crl.O.P(MD) No.14921 of 2017: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the entire case records pertaining to the case in Crime No.141/2011 on the file of the 1st respondent and quash the same as far as accused no.1 is concerned.

PRAYER in Crl.O.P(MD) No.16072 of 2017: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to transfer the investigation in the case in Crime No.141/2011 on the file of the respondent police to some other independent investigating agency such as CBCID or any other Special Investigation Team and to order the investigation be completed in a specified time limit as fixed by this Court.



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In both the cases:

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

COMMON ORDER

Since the issue involved in both the Criminal Original Petitions are one and the same, they are disposed of by this common order.

2. These Criminal Original Petitions have been filed seeking to quash the proceedings in Crime No.141/2011 on the file of the first respondent police.

3. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing on behalf of the first respondent Police in both the cases.

4. 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.

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, these Criminal Original Petition are dismissed and the respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file the final report or the 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 miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar



1. The Inspector of Police,
Soolakkarai Circle Police Station,
Virudhunagar District,
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.A. KANNAN, Advocate (SR-102726 & 102727[F] dated
29/11/2019)

STS

TE : 03/01/2020 : 3P/5C

Common Order made in
Crl.O.P.(MD) Nos.14921 & 16072 of 2017 &
Crl.M.P.(MD) Nos.9932 & 10638 of 2017
Dated:29.11.2019