



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.4674 of 2017
and
Crl.M.P.(MD) No.3312 of 2017

Kumaradoss

... Petitioners/
Accused No.1

Vs.

1.State rep.by its
The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
(Crime No.13 of 2016)

... 1st Respondent/
Complainant

2. Joseph Gerold

... Respondent/
De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the proceedings in Crime No.13 of 2016 on the file of the 1st respondent and quash the same against the petitioners herein.

For Petitioner : Mr.P.T.Ramesh Raja

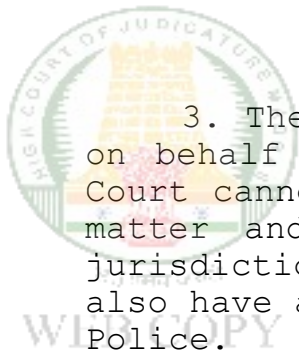
For R 1 : Mr.M.Chandrasekaran,
Additional Public Prosecutor

For R 2 : Mr.Niranjan S Kumar

O R D E R

This petition has been filed seeking to quash the First Information Report registered by the respondent Police and which is pending investigation.

2. Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the first respondent.



3. The contentions put forward by the learned counsel appearing on behalf of the petitioner is 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 months from the date of receipt of copy of the order. Consequently, the connected Crl.M.P.(MD) No.3312 of 2017 is closed.

Sd/-

Assistant Registrar (Ad-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
(Crime No.13 of 2016

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.T.RAMESH RAJA, Advocate SR-90077.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate SR-90468.

Order made in

Crl.O.P. (MD) .No.4674 of 2017

Dated:

26.09.2019

CS (21.10.2019) 2P 5C