



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD) No.6234 of 2017

and

Crl.M.P.(MD) No.4128 of 2017

WEB COPY

J.James Anbaiya .. Petitioner/Accused

.Vs.

1.The State rep. by
The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.
(Crime No.89 of 2013) .. 1st Respondent/Complainant

2.D.Sunil Prakesh .. 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Crime No.89 of 2016 on the file of the 1st respondent police, dated 27.11.2013 for the offences under Section 409, 468, 471 and 420 of IPC and quash the same as illegal.

For petitioner: Mr.M.Ramesh

For R 1 : Mr.S.Chandra Sekar
Additional Public Prosecutor

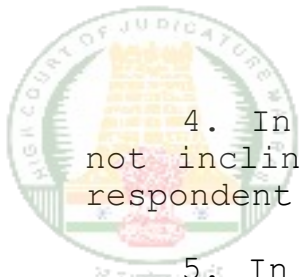
For R2 : Mr.K.Ragatheesh Kumar

O R D E R

This Criminal Original Petition has been filed seeking to quash the F.I.R. registered by the respondent Police and which is pending investigation.

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 three (3) months from the date of receipt of a copy of the order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)

TM

To

1.The Inspector of Police,
District Crime Branch,
Nagercoil,
Kanyakumari District.

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

Order made in
Crl.O.P.(MD) No.6234 of 2017
25.10.2019

VB(19.11.2019) 2P 3C