

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3297 of 2021

V.Vijayakumar ... Petitioner/Sole Accused
vs.

1. State by:
Inspector of Police,
D-4, Madhuravoyal Police Station,
Madhuravoyal, Chennai 600 095.
(Crime No.1630 of 2020) ... Respondent/complainant
2. V.Janakipathi ... Respondent/Defacto complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating in Crime No.1630 of 2020 dated 26.12.2020, on the file of the respondent/complainant, and quash the same.

For Petitioner : Mr.R.Thanjan

For Respondent : Mr.C.Raghavan

Government Advocate (crl. Side)
for R1

ORDER

This petition has been filed to call for the records in Crime No.1630 of 2020 on the file of respondent Police and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the 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. The respondent Police is investigating a case and counter in Crime Nos.1629 and 1630 of 2020 and therefore, there cannot be an interference in one of the FIRs. Both FIRs will have to be investigated, in order to find out the real aggressor in this case.

6. 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 months from the date of receipt of a copy of this order.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

jv
To

1. The Inspector of Police,
D-4, Madhuravoyal Police Station,
Madhuravoyal, Chennai 600 095.
(Crime No.1630 of 2020)
(in Crime No.6/2021)

2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 Cc to Mr.R.Thanjan, Advocate sr 10218.

Cr1.O.P No.3297 of 2021

KK(CO)
SP(15/03/2021)

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