

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.5002 of 2021

1.G.Somu
2.Govindaraj

.. Petitioners

Vs.

1.State Rep by
The Inspector of Police,
Omalur Police Station,
Salem District.

2.Chinnaponnu

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the First Information Report in Crime No.1104 of 2020 under sections 294(b), 323 and 324 of the IPC dated 05.09.2020 pending on the file of the first respondent police station.

For Petitioners : M/s.S.Valarmathi

For Respondent-1 : Mr.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to call for the records in Crime No.1104 of 2020 on the file of the Inspector of Police, Omalur Police Station, Salem District and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor (Criminal Side).

3. The contentions put forward by the learned counsel appearing on behalf of the petitioners 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. It is also seen from records that the respondent police is investigating the case and counter in Crime Nos.1104 and 1105 of 2020.

4. In view of the above, both the cases will have to be investigated by the respondent police, in order to find out the real aggressor and a final report will be filed before the concerned Court. 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 six weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Omalar Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

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GMI (CO)
CB(19/04/2021)

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