

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.1716 of 2021

and

Crl.MP.No.1005 of 2021

Durgashini

W/o.C.E.Sathya @ Mallai Sathya ... Petitioner/Accused-5

Vs.

1.The State Represented by
The Sub-Inspector of Police
J8, Neelangarai Police Station
Chennai-600 115.1st Respondent/Complainant

2.D.Vijayabharathy
S/o.Dhananchezian Respondent/Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the prosecution in Crime No.430/2019 registered for offences under Sections 427, 380, 448, 451 and 506(i) IPC on the file of the Sub-Inspector of Police, J8, Neelangarai Police Station, Chennai-115 as against the petitioner/5th Accused.

For Petitioner : Mr.C.Arun Kumar

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)
for R1

WEB COPY

O R D E R

This petition has been filed to quash the investigation in Crime No.430 of 2019, pending on the file of the 1st respondent Police, viz., The Sub-Inspector of Police, J8, Neelangarai Police Station, Chennai.

2.Heard the learned counsel appearing on behalf of the petitioner and the learned Government Advocate (Criminal Side) appearing on behalf of the 1st respondent.

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 1st 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 a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

To

1.The Sub-Inspector of Police
J8, Neelangarai Police Station
Chennai-600 115.

2.The Public Prosecutor,
High Court, Madras.

Cr1.OP.No.1716 of 2021

SSN(CO)
CB(26/02/2021)

WEB COPY