

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3372 of 2021
and Crl.M.P.Nos.1955 of 2021

1. Halimulla @ Kalimulla

2. S.Javith ... Petitioners/Accused 2 & 9

Vs.

1.The State of Tamil Nadu
Rep. By the Inspector of Police,
Vadaponparappi Police Station,
Villupuram District. ... Respondent / Complainant

2.Malliga ... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to Crime No.27 of 2018 on the file of Inspector of Police, Vadaponparappi Police Station, Villupuram, quash the same.

For Petitioners : Mr.K.Amirthalingam

For Respondents : Mr.C.Raghavan
Government Advocate for R1

सत्यमेव जयते
O R D E R

This petition has been filed to call for the records in Crime Nos. 27 and 28 of 2018 pending on the file of the first Respondent, Inspector of Police, Vadaponparappi Police Station, Villupuram, and quash the same.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the first respondent.

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.

4.This is a matter which involves a case and counter where the FIR has been registered in Crime Nos.27 and 28 of 2018. It has to be investigated by the first respondent police in order to find out the real aggressor and a final report has to be filed.

5. 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.

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 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

jv

To

1.The Inspector of Police,
Vadaponparappi Police Station,
Villupuram District.

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

+1 cc to Mr.M.Saravanan, Advocate Sr.No. 14321

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MG (CO)
RMP (17/04/2021)