

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.2819 OF 2021

AND

CRL.M.P.NO.1561 OF 2021

1. C.Manoharan
2. M.Kumaresan

... Petitioners/
Accused

vs.

1. State rep. by
The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
(Crime No.620 of 2020)

... Respondent/Complainant

2. Sadaiyammal

... Respondent/
Defacto Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of the case in crime No.620 of 2020 pending investigation on the file of the Inspector of Police, Jedarpalayam Police Station and quash the same.

For Petitioners: Mr.C.D.Johnson

For R1 : Mr.M,Mohamed Riyaz
Additional Public Prosecutor

WEB COPY

ORDER

This petition has been filed to call for the records in Crime No.620 of 2020 on the file of the first respondent and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of 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. There is a case and counter case registered in Crime Nos.620 and 622 of 2020 on the file of the first respondent. Both these FIRs' will have to be investigated by the respondent police in order to find out the real aggressor.

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 two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court of Madras,
Madras.

CrI.O.P No.2819 of 2021
and CrI.M.P No.1561 of 2021

PL(CO)
CS/07/04/2021