

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.4426 of 2021  
and Crl.M.P No.2829 of 2021

S.Sridharan

... Petitioner/Accused-1

vs.

1. State rep. by  
The Inspector of Police,  
Morappur Police Station,  
Dharmapuri District.  
(Crime No.41 of 2021)

2. Satshathipathy Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records made in FIR in Crime No.41 of 2021 on the file of the first respondent and quash the same.

For Petitioner : Mr.K.Kalaikovan

For R1 : Mr.C.Raghavan  
Govt. Advocate (Crl. side)

ORDER

This petition has been filed to call for the records in Crime No.41 of 2021 on the file of the first respondent and quash the same.

2. Heard the learned counsel for the petitioner 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 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. There is a case and counter case registered in Crime Nos.40 and 41 of 2021. 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

//True Copy//

Sub Assistant Registrar

rli

To

1. The Inspector of Police,  
Morappur Police Station,  
Dharmapuri District.
2. The Public Prosecutor,  
High Court of Madras,  
Madras.

Crl.O.P No.4426 of 2021  
and Crl.M.P No.2829 of 2021

AAB(CO)  
CB(29/03/2021)

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