

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.6008 of 2021
and Crl. MP No.3937 of 2021

1. Riveenkumar

2. Vinothkumar Petitioners/Accused 1 & 2

vs.

1. The Inspector of Police,
D.4, R.K.Pet Police Station,
Tiruvallur District.
(Crime No.102 of 2020) Respondent/Complainant

2. Ravi Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.102 of 2020 on the file of the Inspector of Police, R.K.Pet Police Station, Thiruvallur District and quash the proceedings in Crime No.102 of 2020 as against the petitioners herein.

For Petitioner : Mr.C.P.Sivakumar

For Respondents: Mr.C.Raghavan

Government Advocate (crl. Side)

For R1

ORDER

This petition has been filed to call for the records in Crime No.102 of 2020 on the file of the first respondent Police 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 is 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. It is seen from records that the petitioners have also given a complaint for the very same incident and the respondent Police have only issued a CSR in CSR No.247 of 2020. In the considered view of this Court, the FIR has to be registered based on this complaint and it has to be investigated along with Crime No.102 of 2020. The case and counter will have to be investigated 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 first 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, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

jv
To

1. The Inspector of Police,
D.4, R.K.Pet Police Station,
Tiruvallur District.

2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1 CC to Mr.G.P. Sivakumar, Advocate sr 20373.

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CP(CO)
SP(19/05/2021)