

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.01.2021
CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17700 of 2020
and
Crl MP No.6892 of 2020

C.Rajesh

..Petitioner /Accused No.1

vs.

1. State Rep. By its
The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal, Chennai 600 066.
Crime No.27 of 2020 ..Respondent/Complainant

2. V.Balakumaran
(R2 impleaded vide order in Crl MP No.7944 of 2020
in Crl OP No.17700 of 2020 dated 14.12.2020)
..Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of the respondent police pertaining to the criminal case registered on 28.01.2020 in F.I.R in Crime No.27/2020 u/s. 341, 294(b), 323, 324, 384, 506(ii)IPC registered on 28.01.2020 and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.A.Kalaiselvan
For Respondent : Mr.C.Raghavan,
Government Advocate

ORDER

This petition has been filed to call for the records in Crime No.27 of 2020 on the file of the Inspector of Police, M-3, Puzhal Police Station, Puzhal, Chennai 600 066 and quash the same.

2. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner infact made a representation to the respondent police to call him for an enquiry and to ascertain the true facts. The learned counsel further submitted that CCTV footage will be available in the scene of occurrence and the respondent police will have to take that into consideration to ascertain as to whether any such incident as alleged by the complainant had taken place on the fateful day. The learned counsel further submitted that the petitioner is willing to

co-operate for the investigation and he is not trying to shy away from the Enquiry.

3. Heard the learned Additional Public Prosecutor (Criminal Side), appearing on behalf of the 1st respondent.

4. 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.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
M-3, Puzhal Police Station,
Puzhal, Chennai 600 066.
Crime No.27 of 2020

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

Cr1.OP No.17700 of 2020

A.SK(03.02.2021).