



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.9903 OF 2022

AND

CRL.M.P.NO.5826 OF 2022

1. Bharathi Raja

2. Anbarasan

... Petitioners

.Vs.

1. The State Rep. by
The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
(Crime No.379 of 2019)

2. Gowdhami

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.379 of 2019 on the file of the respondent police herein and quash the same.

For Petitioners : M/s.K.Sahithya

For Respondent-1 : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to quash the records in Crime No.379 of 2019 on the file of the respondent Police.

2. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor accepting notice for the 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 Criminal Procedure Code. Any finding on facts will also have a bearing on the investigation to be conducted by the respondent Police. That apart, the Hon'ble Supreme Court in Neeharika Infrastructure P Ltd Vs. State of Maharashtra and others reported in 2021 (2) MWN Cr. 90 (SC) has issued guidelines and held that quashing of an FIR should be an exception and a rarity than an ordinary rule.

4. In the facts and circumstances of the case, this Court is not inclined to interfere with the investigation to be 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 the order. Consequently, connected miscellaneous petition is closed.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
2. The Public Prosecutor,
High Court of Madras,
Madras.

CRL.O.P.NO.9903 OF 2022

SS (CO)
PBS/26/05/2022