



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.NO.11511 OF 2022

AND

CRL.MP.NO.6594 OF 2022

Vaithi @ Vaithiyalingam

... Petitioner

vs.

1. State rep. by
The Inspector of Police,
Jayankondam Police Station,
Ariyalur District
Crime No.140 of 2022

2. Ravishankar

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the case in Cr.No.140 of 2022 on the file of first respondent police and quash the same.

For Petitioner : Mr.R.Thamarai Selvan

For 1st Respondent : Mr.E.Raj Thilak
Addl.Public Prosecutor.

ORDER

This petition has been filed seeking to quash the FIR registered by the first respondent Police and which is pending investigation.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.The contentions put forward by the learned counsel appearing on behalf of the petitioner 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. 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 has 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 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 three months from the date of receipt of a copy of the order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

sr

To

1. The Inspector of Police,
Jayankondam Police Station,
Ariyalur District
Crime No.140 of 2022

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

+1cc to M/s.R.Thamarai Selvan, Advocate, S.R.No.31655

Cr1.O.P.No.11511 of 2022

RSV(CO)
RLP(20/05/2022)