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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16811 of 2023

V.Kesavan

Petitioner

vs.

State By: The Inspector of Police,
B3-Kanchi Taluk Police Station,
Kanchipuram.
(Crime No.33 of 2018)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to quash the FIR in Crime No.33 of 2018 dated 13.01.2018 filed under Sections 379 & 430 of IPC, 1860, under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and under Section 3(1) of the TN Public Property (Prevention of Damage & Loss) Act, 1992 on the file of the respondent police against the petitioner herein.

For Petitioners : Mr.G.Thiyagarajan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

This petition has been filed to call for the records in Crime No.33 of 2018 on

<https://www.tn.hc.judiciary.gov.in/> the file of the respondent police quash the same.



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

3. 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.

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

27.07.2023

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

SSR



To
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- 1.The Inspector of Police,
B3-Kanchi Taluk Police Station,
Kanchipuram.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

SSR

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