



Criminal Original Petition No.17681 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.17681 of 2023

Smt.Indhirani,
W/o.Bharathiraja

...Petitioner

Vs

1. State rep. by
Inspector of Police,
Perumanallur Police Station,
Tirupur District.
(Crime No.111/2023)

2. Balasubramaniam

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to call for the records in Crime No.111 of 2023 pending on the file of the 1st respondent and quash the same.

For Petitioner : Dr.E.Gomathi

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER



This petition has been filed seeking to quash the First Information Report in Crime No.111 of 2023 on the file of first respondent.

2. Heard Dr.E.Gomathi learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. The contentions put forward by learned counsel appearing on behalf of 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 Cr.P.C. Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.

4. The learned Additional Public Prosecutor submits that the case and counter case in Crime Nos.110 and 111 of 2023 is investigated by the first respondent. In view of the same, the FIR in Crime No.111 of 2023 alone cannot be separately dealt with.



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5. In the facts and circumstances of the case, this Court is not inclined to interfere with the investigation conducted by the first respondent Police at this stage.

In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in both the cases [Crime Nos.110 and 111 of 2023] 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 (3) months from the date of receipt of a copy of this order.

11.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
mp

N.ANAND VENKATESH, J



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To

1. Inspector of Police,
Perumanallur Police Station,
Tirupur District.(Crime No.111/2023)

2.The Public Prosecutor,
High Court, Madras.

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