



WEB COPY



Crl.OP.No.20662 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20662 of 2023

and

Crl.M.P.No.14096 of 2023

P.Bharathan

S/o.R.Palaniswami

... Petitioner

Vs.

State represented by

1. The Inspector of Police,
Mallur Police Station,
Salem District, Tamil Nadu.

2. Selvi,

W/o.Dhanapal

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the FIR registered in Crime No.104 of 2023 against the petitioner pending on the file of the first respondent police.

For Petitioner : Mr.D.Prasanna Kumar

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.Side] [R1]



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ORDER

WEB COPY This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.104 of 2023 on the file of first respondent.

2. Heard Mr.D.Prasanna Kumar, learned counsel for petitioner and Mr.A.Gopinath, learned Government Advocate [Crl.side] appearing for State/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. Learned Government Advocate [Crl.side] submitted that there is a case in counter in Crime Nos.103 and 104 of 2023 on the file of first respondent.



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WEB COPY 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.

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.103 & 104 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 four (4) weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

11.09.2023

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1. The Inspector of Police,
Mallur Police Station,
Salem District, Tamil Nadu.

2. The Public Prosecutor,
Madras High Court,



Chennai.

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N.ANAND VENKATESH, J

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