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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20073 of 2023

Tabrez

... Petitioner

Vs.

1.The State Rep. by its
The Inspector of Police,
D2, Annasalai Police Station,
Chennai – 600 002.

2.Sajjad Hussain Khan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in FIR No.162 of 2023 on the file of the 1st respondent under Sections 341, 294(b) and 324 of IPC and quash the same.

For Petitioner : Mr.H.Mohamed Ghouse

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



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ORDER

This petition has been filed to call for the records of the proceedings in Crime No.162 of 2023 on the file of the 1st respondent and quash the same.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the 1st respondent.

3.The learned Additional Public Prosecutor submitted that that there is a case and counter in Crime No.161 of 2023 and Crime No.162 of 2023.

4.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 Cr.P.C. Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.



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.

6. 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 in Crime No.161 of 2023 and the counter case in Crime No.162 of 2023 and complete the investigation and file a final report or a closure report, as the case may be, within a period of eight weeks from the date of receipt of a copy of this order.

04.09.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr

To

1.The Inspector of Police,
D2, Annasalai Police Station,
Chennai – 600 002.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSI

CrI.O.P.No.20073 of 2023

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