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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19954 of 2023
and Crl.M.P No.13551 of 2023

B.Balakumaran
S/o.Boobalan

..Petitioner/Accused No.1

vs.

1.The State rep.by,
The Inspector of Police,
Gudiyatham Town,
Vellore District.
(Crime No.272 of 2023)

..Respondent/Complainant

2.Vijayakumar
S/o.Perumal

..Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of First Information Report in Crime No.272 of 2023 dated 05.06.2023 pending on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.A.Suresh Sakthi Murugan

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



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ORDER

This petition has been filed to call for the records of First Information Report in Crime No.272 of 2023 dated 05.06.2023 pending on the file of the 1st respondent police and quash the same.

2. Heard the learned Additional Public Prosecutor appearing for the respondent on instructions submitted that there is a case and counter case pending in Crime No.271 and 272 of 2023 and the investigation is still pending.

3.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. It is also seen from records that the respondent police is investigating the case and counter in Crime Nos.271 and 272 of 2023.

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 in both the FIRs in in Crime Nos.271 and 272 of 2023, as the case may be, within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

01.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
pal/rka

To

1. The Inspector of Police,
Gudiyatham Town,
Vellore District.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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**Crl.OP No.19954 of 2023
and Crl.M.P No.13551 of 2023**

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