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Criminal Original Petition No.20245 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.20245 of 2023
and CrI.M.P.No.13794 of 2023

A.Shaik Dawood @ Dawood
S/o.Azeez

...Petitioner

Vs

The State represented by its
1. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai – 600 118.
Crime No.80/2023.

2. Mohammed Asan Nalim,
S/o.Mohammed Inbrahim

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the entire records in Crime No.80 of 2023 on the file of the 1st respondent police and quash the FIR against the petitioner.

For Petitioner : Mr.A.John

For Respondent : Mr.A.Damodaran
Additional Government Pleader [R1]



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ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.80 of 2023 on the file of the first respondent.

2. Heard Mr.A.John, learned counsel appearing for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor 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. 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.



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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 six (6) weeks from the date of receipt of a copy of this order. Connected miscellaneous petition is closed.

05.09.2023

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

To

1. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai – 600 118.
Crime No.80/2023.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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