



*Crl.O.P.No.21050 of 2023*

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 14.09.2023**

**CORAM :**

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**Crl.O.P.No.21050 of 2023**

1. D.Vinoth Kumar  
2. D.Bharath Kumar

.. Petitioners

**Versus**

State, Rep. by,  
Inspector of Police,  
H-8 Thiruvottiyur Police Station,  
Chennai.  
Crime No.985 of 2022.

.. Respondent

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.985 of 2022 under Section 20(1) of Cigarette and other Tobacco Products Act, 2003 r/w Sections 294(b), 328, 353 and 506(1) of Indian Penal Code, 1860 pending on the file of Inspector of Police, H-8 Thiruvottiyur Police Station, Chennai and to quash the charges leveled against the petitioners / accused.

For Petitioners : Mr.J.Saravana Kumar

For Respondent : Mr.A.Gopinath,  
Government Advocate (Crl. Side)



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### **ORDER**

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.985 of 2022 on the file of first respondent.

2. Heard Mr.J.Saravana Kumar, learned Counsel for petitioners and Mr.A.Gopinath, learned Government Advocate (Crl. Side) for the respondent.

3. The contentions put forward by learned Counsel appearing on behalf of petitioners 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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5. In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in the case in accordance with law and complete the investigation and file a Final Report or a Closure Report, as the case may be, in line with the judgment of the Full Bench of this Court in ***S.Kumar v. District Collector, Kokkirakulam, Tirunelveli District*** [2023 (4) CTC 113] within a period of four weeks from the date of receipt of a copy of this order.

14.09.2023

Index : yes/no  
Speaking order/Non-speaking order  
Neutral Citation : yes/no  
grs

To

1. The Inspector of Police,  
H-8 Thiruvottiyur Police Station,  
Chennai.
2. The Public Prosecutor,  
High Court of Madras.



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**N.ANAND VENKATESH, J.**

grs

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