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CrI.O.P No.21907 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.21907 of 2023

and

CrI.M.P.No.15172 of 2023

Shanima

D/o.Mudiyappar

... Petitioner

vs.

1.State represented by
The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
Crime No.94 of 2023.

2.T.Gnanameenaksi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to Crime No.94 of 2023 on the file of respondent police and quash the same.

For Petitioner : Mr.V.Sakkarapani

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor

[R1]



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ORDER

This Criminal Original Petition has been filed seeking to quash the First Information Report in Crime No.94 of 2023 on the file of respondent police.

2. Heard Mr.V.Sakkarapani, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for first respondent.

3. Learned counsel for petitioner submitted that the petitioner has completed her degree in medicine and she is not running any clinic in the subject property. Learned counsel further submitted that she was only working as an Assistant to one Sampath Kumar and it was the said Sampath Kumar, who was running the clinic in the subject property. However, the petitioner has been made as an accused in this case as if she was practicing medicine and she was prescribing medicines without obtaining proper qualification. Learned counsel submitted that at the time when the alleged search was conducted by the Chief Medical Officer, the petitioner was not even working in the said place.



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4. Learned Additional Public Prosecutor submitted that investigation is pending and that whatever stand has been taken by the petitioner will also be taken into consideration in the course of investigation. Ultimately, the persons, who were actually involved in running the clinic and prescribing medicines without qualification will be added as an accused in this case and the case will be proceeded further in accordance with law.

5. 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.

6. 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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N. ANAND VENKATESH., J

gm

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 three (3) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

26.09.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm

To

1.The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
Crime No.94 of 2023.

2.The Public Prosecutor,
High Court of Madras,
Madras.

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