



WEB COPY



Criminal Original Petition No.407 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.407 of 2022

and

CrI.M.P.No.145 of 2022

Shanmuga Raj
S/o.Lingesan

...Petitioner

Vs

1.State of Tamil Nadu
represented by
Sub-Inspector of Police,
D-1 Triplicane Police Station,
Wallaja Road, Chennai - 600 005,
Tamil Nadu.

2.Dr.W.S.Sumathi
Resident Medical Officer,
Omandurar Medical College and Hospital,
Anna Salai, Opposite of The Hindu Office,
Chennai - 600 002.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records of the first respondent in FIR No.488 of 2021 dated 25.06.2021 and quash the same against the petitioners herein.



Criminal Original Petition No.407 of 2022

For Petitioner : Mr.Kiran Venkatesh

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER

This petition has been filed seeking to quash the First Information Report in Crime No.488 of 2021 on the file of first respondent.

2. Heard Mr.Kiran Venkatesh, learned counsel 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



Criminal Original Petition No.407 of 2022

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, as the case may be, within a period of four (4) weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

03.07.2023

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

To

1. The Sub-Inspector of Police,
D-1 Triplicane Police Station,
Wallaja Road, Chennai - 600 005,
Tamil Nadu.

2. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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03.07.2023