



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.699 of 2024
and CRL.M.P No.447 of 2024

1.P.Suseela

2.Balaji

3.Mani Karuppannan

4.M.S.K.Selvakumar

...Petitioners

Vs.

1.The State Rep. by,
The Inspector of Police,
Team-16, LFIW-1,
Central Crime Branch-1,
Vepery, Chennai – 600 007.

2.Kutty Flush Doors and Furniture Company Pvt., Ltd.,
Rep. by its Manager and General Power of Attorney,
P.Praveen Kumar,
No.37, TNHB Phase-III,
Iyyapakkam Main Road,
ICF Colony,
Ambattur, Chennai-600 058.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records in FIR No.213 of 2023 dated 28.08.2023 on the file of 1st respondent herein and quash the same.



For Petitioners : Mr.T.Mohan
Senior Counsel for
Mr.G.Muthukumar

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

ORDER

This petition has been filed to call for the records in Crime No. 213 of 2023 on the file of the 1st respondent police and quash the same.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the 1st respondent.

3.The learned counsel for the petitioners submitted that the petitioners are innocent purchasers and therefore, they should not have been made as an accused in this case. The innocence claimed by the petitioners will come to light only after the completion of the investigation. Thereafter, it is left open to the respondent police either to continue to treat the petitioners as accused persons or to make them as witnesses in this case, since they came into the scene, as subsequent purchasers. This clarity will sufficiently take care of the grievance expressed by the petitioners.

4.The contentions put forward by the learned counsel appearing on behalf of the petitioners are purely factual in nature and this Court cannot venture into



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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. This Court must also bear in mind the parameters laid down by the Apex Court in *Neeharika Infrastructure Pvt.Ltd.*, case reported in **2021 SCC Online SC 315**. Any finding on facts will also have a bearing on the investigation conducted by the respondent Police.

5. 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.

6. 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, as expeditiously as possible. Consequently, connected miscellaneous petition is closed.

18.01.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr



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N.ANAND VENKATESH, J

ssr

To

- 1.The Inspector of Police,
Team-16, LFIW-1,
Central Crime Branch-1,
Vepery, Chennai – 600 007.
- 2.The Public Prosecutor,
High Court, Madras.

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