



Crl.O.P.No.972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.1.2024

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.972 of 2024
and Crl MP No.633 of 2024

K.Gowthaman

... Petitioner

Vs.

1. The Commissioner of Police,
EVK Sampath Salai, Vepery,
Chennai.
2. The Deputy Commissioner of Police,
Pulianthopu, Chennai.
3. The Inspector of Police,
K-9 Thiru.Vi.Ka Nagar Police Station,
Chennai.

4. Mr.Udhaya Kumar

...Respondents

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to call for the records and quash the FIR in Crime No.487 of 2023 on the file of the 3rd respondent.

For Petitioner	:	Mr.S.Vijay
For Respondents	:	Mr.A.Damodaran Additional Public Prosecutor



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ORDER

This petition has been filed to call for the records in Crime No.487 of 2023 on the file of the Inspector of Police, K-9 Thiru.Vi.Ka Nagar Police Station, Chennai. and quash the same.

2. Heard the learned counsel for the petitioner.

3. The learned Additional Public Prosecutor submitted that there is a case and counter case pending in Crime Nos.486 and 487 of 2023.

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 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.



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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 in both the crime numbers, as the case may be, within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

7. Post this case under the caption for reporting compliance on 18.03.2024.

22.01.2024

rka

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No



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N.ANAND VENKATESH,J

rka

To

- 1.1. The Commissioner of Police,
EVK Sampath Salai, Vepery,
Chennai.
2. The Deputy Commissioner of Police,
Pulianthopu, Chennai.
3. The Inspector of Police,
K-9 Thiru.Vi.Ka Nagar Police Station,
Chennai.
4. The Public Prosecutor,
Madras High Court.

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