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CrI.O.P.No.2713 of 2024

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

**DATED : 09.02.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**CrI.O.P.No.2713 of 2024**

**And**

**CrI.M.P.Nos.1940 and 1942 of 2024**

M.Elango @ Dhanalakshmi

... Petitioner

**Vs.**

State Rep. by:

1.The Inspector of Police,  
E8, Kelambakkam Police Station,  
Kancheepuram District.

2.N.Senthil Kumar

... Respondents

**Prayer:**

Petition filed under Section 482 of Cr.P.C., seeking to call for the records pertaining to the proceedings in Crime No.398 of 2018 on the file of the first respondent/ The Inspector of Police, E8, Kelambakkam Police Station, Kancheepuram District and quash the same so far as it relates to the petitioner.

For Petitioner : Mr.R.Ravindraram

For Respondents : Mr.A.Damodaran for R1

Additional Public Prosecutor

**O R D E R**

This petition has been filed to call for the records in Crime



CrI.O.P.No.2713 of 2024

No.398 of 2018 on the file of the first respondent and quash the same.

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2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that the investigation has been completed and final report has been filed before the learned Judicial Magistrate No.1, Tiruppur on 30.12.2023 and the e filing number LTN20230002824 C 202300012 was also furnished before this Court.

4.The contentions put forward by the learned counsel appearing on behalf of the 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 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.



CrI.O.P.No.2713 of 2024

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5.In the light of the above development the relief sought for by the petitioner cannot be granted by this Court. If ultimately, the learned Judicial Magistrate takes the final report on file and issue summons to the petitioner, it will be left open to the petitioner to work out his remedy in the manner known to law.

6.This criminal original petition is disposed of with the above directions. Consequently, the connected miscellaneous petitions are closed.

09.02.2024

pri

Index: Yes/ No  
Speaking Order: Yes/ No  
NCC: Yes/ No

To

- 1.The Inspector of Police,  
E8, Kelambakkam Police Station,  
Kancheepuram District.
- 2.The Public Prosecutor,  
High Court of Madras,  
Chennai 600 104.

3/4



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Crl.O.P.No.2713 of 2024

**N.ANAND VENKATESH,J.**  
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**1942 of 2024**

**09.02.2024**