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CrI.O.P No.1700 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.1700 of 2024

and

CrI.M.P.No.1248 of 2024

Kathija

W/o.Anwar Basha

...

Petitioner

vs.

1.State represented by
Inspector of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.

2.Mohamed Ubaith
S/o.Mohamed

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.27 of 2023 on the file of first respondent and quash the same.

For Petitioner : Mr.K.Thenrajan

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor [R1]



Crl.O.P No.1700 of 2024

ORDER

WEB COPY This petition has been filed to call for the records in Crime No.27 of 2023 on the file of first respondent and quash the same.

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

3.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.

4. 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.

In the result, this Criminal Original Petition is dismissed and the



CrI.O.P No.1700 of 2024

WEB COPY

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 six (6) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

01.02.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
gm

To

- 1.The Inspector of Police,
District Crime Branch,
Cuddalore District,
Cuddalore.
2. The Public Prosecutor,
High Court of Madras,
Madras.

N. ANAND VENKATESH,, J.



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Crl.O.P No.1700 of 2024

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