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Criminal Original Petition No.2441 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.2441 of 2024

and

Crl.M.P.No.1732 of 2024

Vijayaraj

...Petitioner

Vs

1.State rep. by
The Inspector of Police
Erumapatti Police Station
Namakkal District.

2.Senthilkuar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records pertaining to the Crime No.28 of 2022 dated 17.01.2022 on the file of respondent police.

For Petitioner : Mr.C.Kulanthaivel

For Respondent 1 : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This petition has been filed to call for the records in Crime No.28 of 2022 on the file of the the Inspector of Police, Erumapatti Police Station Namakkal District and quash the same.

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

3.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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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.

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 weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

07.02.2024

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

1. The Inspector of Police
Erumpatti Police Station
Namakkal District.

2.The Public Prosecutor, High Court, Madras.



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N.ANAND VENKATESH, J
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