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Crl.O.P.No.5223 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5223 of 2024

and

Crl.M.P.No.3814 of 2024

P.K.Sowbakkiam

.. Petitioner

Vs.

1.State represented by
The Inspector of Police,
T-14, Mangadu Police Station,
Chennai – 600 122.
(Crime No.982 of 2022)

2.Kannan

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records of FIR in Crime No.982 of 2022 on the file of the respondent and quash the same.

For petitioner : Mr.K.Tamilarasan

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This quash petition has been filed to quash the FIR in Crime No.982 of 2022 pending on the file of the 1st respondent.



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2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side).

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.

5.In the result, this Criminal Original Petition is dismissed and the 1st respondent Police is directed to proceed further with the investigation in accordance with law and complete the investigation and file a final



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report or a closure report, as the case may be, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

05.03.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1.State represented by
The Inspector of Police,
T-14, Mangadu Police Station,
Chennai – 600 122.

2.The Public Prosecutor,
Madras High Court,
Chennai.



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N.ANAND VENKATESH, J.

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