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CrI.O.P.No.3422 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3422 of 2024

And

CrI.M.P.No.2554 of 2024

A.J.Issath

... Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai.
(Crime No.435 of 2023)

2.The Sub Inspector of Police,
The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai.

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records FIR in Crime No.435 of 2023 dated 03.06.2023 on the file of the first respondent Police and QUASH the same as against the petitioner.

For Petitioner : M/s.H.Thameen Ansari

For Respondents : Mr.A.Damodaran

Additional Public Prosecutor



CrI.O.P.No.3422 of 2024

ORDER

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This petition has been filed to call for the records in Crime No. 435 of 2023 on the file of the first respondent and quash the same.

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

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.



Crl.O.P.No.3422 of 2024

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

20.02.2024

pri

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

To

1. The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai.
(Crime No.435 of 2023)
2. The Sub Inspector of Police,
The Inspector of Police,
E-5, Sholavaram Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

3/4



WEB COPY



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N.ANAND VENKATESH,J.
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