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Crl.O.P.No.5022 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.5022 of 2024

and

Crl.M.P.No.3627 of 2024

1.Sathishkumar

2.A.Bakmitha

3.R.Senthil Kumar

.. Petitioners

Vs.

1.State rep. by its,
Inspector of Police,
Pallapatti Police Station,
Pallapatti,
Salem District.

2.Ramachandran

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records pertaining to the case in FIR in Crime No.60 of 2023 on the file of the Inspector of Police, Pallapatti Police Station, Pallapatti, Salem District and quash the same.

For petitioners : Mr.S.Senthilnathan

For R1 : Mr.A.Gopinath



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Government Advocate (Crl. Side)

ORDER

This quash petition has been filed to quash the FIR in Crime No.60 of 2023 pending on the file of the 1st respondent.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

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.

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.



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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 report or a closure report, as the case may be, within a period of six weeks 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 rep. by its,
Inspector of Police,
Pallapatti Police Station,
Pallapatti,
Salem District.

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



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N.ANAND VENKATESH, J.

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