



WEB COPY



Crl.O.P No.3561 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.3561 of 2024
and Crl.M.P No.2627 of 2024

1. Nesamani S/o. Kandasamy
2. Sathishkumar S/o. Nesamani

Petitioners

vs.

1. State rep. by
The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
(Crime No.129 of 2023)

2. Ganagasabapathy S/o. Annamalai S.P.
Partner – Ganagasabapathy & Velvinayaka Colors

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.129 of 2023 on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.C. S. Saravanan

For R1 : Mr. A. Damodaran
Additional Public Prosecutor.



Crl.O.P No.3561 of 2024

ORDER

WEB COPY

This petition has been filed to call for the records in Crime No.129 of 2023 on the file of the 1st respondent police 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.3561 of 2024

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, connected miscellaneous petition is closed.

19.02.2024

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

To

1. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.

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



WEB COPY



Crl.O.P No.3561 of 2024

N. ANAND VENKATESH,, J.

mjs

Crl.OP No.3561 of 2024

19.02.2024