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CrI.O.P No.4262 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4262 of 2024

Sivasankarai
W/o.Santoshkumar

... Petitioner

vs.

1.State represented by
The Deputy Superintendent of Police,
Economic Offence Wing, Chennai.
Crime No.14 of 2023

2.Subramani
S/o.Srinivasan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the proceedings in Crime No.14 of 2023 on the file of first respondent.

For Petitioner : Mr.S.Sheik Ismail

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]



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ORDER

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

3. The contentions put forth 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. Learned Additional Public Prosecutor, on instructions, submitted



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that both the First Information Reports in Crime Nos.2 of 2023 and 14 of 2023 are now being investigated by the Economic Offences Wing, Chennai and the investigation officer is in the rank of Deputy Superintendent of Police. Learned Additional Public Prosecutor further submitted that there are totally 51 witnesses in this case and the amount involved is Rs.243 crores. That apart, only one final report is going to be filed and no steps are being taken to once again arrest the petitioner.

6. Learned counsel for petitioner submitted that the petitioner is only a house wife and she has been unnecessarily roped in this case. Learned counsel further submitted that the petitioner will co-operate for the investigation.

In the result, this Criminal Original Petition is dismissed and the first respondent/Deputy Superintendent of Police, Economic Offences Wing, Chennai, is directed to proceed further with the investigation in both the cases in accordance with law and complete the investigation and

N. ANAND VENKATESH, J.



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file a final report or a closure report, as the case may be, as expeditiously as possible.

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

To

1. The Deputy Superintendent of Police,
Economic Offence Wing, Chennai.
Crime No.14 of 2023
2. The Public Prosecutor,
High Court of Madras,
Madras.

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