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Criminal Original Petition No.3828 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3828 of 2024

&

Crl.M.P.No.2820 of 2024

V.A.Ashok Kumar
S/o.Ashwath Ramaiya

... Petitioner

Vs.

1. State represented by
Inspector of Police,
CBCID Metro, Chennai.
(Crime No.1 of 2022)

2.Subramanian
S/o.Santhanam

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records relating to Crime No.1 of 2022 dated 12.04.2022 on the file of the first respondent herein and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.V.Illanchezian

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side) [R1]



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ORDER

WEB COPY This Criminal Original Petition has been filed to call for the records in Crime No.1 of 2022 on the file of first respondent and quash the same.

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.

In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in



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accordance with law and complete the investigation and file a final report or a closure report, as the case may be, as expeditiously as possible.

Consequently, connected miscellaneous petition is closed.

20.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

To

1.The Inspector of Police,
CBCID Metro, Chennai.

2.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J

gm



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