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Crl.O.P.No.4290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4290 of 2024

and

Crl.M.P.No.3156 of 2024

M.Ramkumar

... Petitioner

Vs.

1. The State,
Represented by its
The Sub-Inspector of Police,
S-15 Selaiyur Police Station,
Selaiyur,
Chennai - 600 059.
(Crime No.196 of 2018)

2. Vedappan Alagu

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to call for the records in Crime No.196 of 2018 dated 17.02.2018 for the alleged offence under Section 294(b), 384, 506(ii) of IPC and pending investigation on the file of the first respondent Police and quash the same.



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For Petitioner : Mr.S.Mohan Raj
For Respondents : Mr.A.Gopinath
Govt. Advocate (Crl.Side) for R1

ORDER

This petition has been filed to call for the records in Crime No.196 of 2018 on the file of first respondent Police and quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent Police.

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.



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4. Considering the nature of the allegation made in the FIR and considering the antecedent of the petitioner, there is no question of quashing the FIR on the ground of compromise. 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. 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 two (2) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

26.02.2024

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

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To

1. The Sub-Inspector of Police,
S-15 Selaiyur Police Station,
Selaiyur,
Chennai - 600 059.
(Crime No.196 of 2018)
2. The Public Prosecutor,
High Court,
Madras.



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N.ANAND VENKATESH, J.

vji

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26.02.2024