



Crl.O.P No.4367 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.4367 of 2024

and

Crl.M.P.No.3191 of 2024

1.K.Venkatachalam
S/o.Karuppannan

2.Chinnasamy
S/o.Kandasamy

3.S.Venkatesan
S/o.Seenivasan

4.Kavin
S/o.Pushparaj

... Petitioners

vs.

1.State represented by its
The Inspector of Police,
Sankari Police Station,
Salem District.
Crime No.480 of 2023

2.Gunasekaran

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Crime No.480 of 2023 on the file of first respondent and quash the same.



Crl.O.P No.4367 of 2024

For Petitioners : Mr.A.Saravanan
For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]

ORDER

This petition has been filed to call for the records in Crime No.480 of 2023 on the file of first respondent and quash the same.

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

3. The contentions put forth 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.



CrI.O.P No.4367 of 2024

WEB COPY

4. Learned Additional Public Prosecutor submitted that counter cases are pending in Crime Nos.481 and 482 of 2023 on the file of first respondent.

5. 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 all the cases *viz.*, Crime Nos.480, 481 and 482 of 2023 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 three (3) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

26.02.2024

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order/Non-Speaking Order
gm



WEB COPY



Crl.O.P No.4367 of 2024

N. ANAND VENKATESH, J.

gm

To

1. The Inspector of Police,
Sankari Police Station,
Salem District.
Crime No.481 of 2023
2. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P.No.4367 of 2024

26.02.2024