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CrI.O.P.No.5236 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5236 of 2024

and

CrI.M.P.No.3821 of 2024

Fr.Antony Raj

.. Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
D2 – Annasalai Police Station,
Chennai.
(Crime No.123 of 2023)

2.R.Hemalatha,
Divisional Manager,
LIC of India, P & GS Department, DO-1,
Chennai.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records and to quash the FIR in Crime No.123 of 2023 dated 30.04.2023 registered with Inspector of Police, D2-Annasalai Police Station, Chennai.

For petitioner : Mr.K.V.Muthu Visakan

For R1 : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This quash petition has been filed to quash the FIR in Crime No.123 of 2023 pending on the file of the 1st respondent.

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.



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5.In the result, this Criminal Original Petition is dismissed and the 1st 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 six weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

05.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1.The State Rep. by
The Inspector of Police,
D2 – Annasalai Police Station,
Chennai.

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



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N.ANAND VENKATESH, J.

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