



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

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CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5549 of 2024
and Crl.M.P.No.4046 of 2024

1.T.Karthika
2.T.Malliga
3.S.Kanaga

... Petitioners

Vs.

1.State Rep. by: The Inspector of Police,
District Crime Branch,
Nagapattinam District.
(Crime No.1 of 2023)

2.Rajendran

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records of the FIR in Crime No.1 of 2023 dated 27.01.2023 pending on the file of the 1st respondent and to quash the same as far as the petitioner is concerned.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor
for R1



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ORDER

This petition has been filed to call for the records in Crime No.1 of 2023 on the file of the 1st respondent and quash the same.

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

3.The contentions put forward 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.

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 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 eight weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

08.03.2024

Index: Yes/No
Internet: Yes/No
ssr

To

1.The Inspector of Police,
District Crime Branch,
Nagapattinam District.

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



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N.ANAND VENKATESH,J.

SSR

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