



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.5785 of 2024
and Crl.MP.No.4216 of 2024

1.Noor @ Noorjahan

2.Karim @ Mohammed Kareem Khan

3.Abdulla @ Abdulla Khan

...Petitioners/Accused No.1 to 3

.Vs.

1.State rep.by

The Inspector of Police

K-2, Ayanavaram Police Station

Chennai.

..1st Respondent/Complainant

2.Mrs.Hemamalini

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of FIR in Cr.No.74 of 2023 dated 27.2.2023 on the file of the 1st respondent police and quash the same as against the petitioner.

For Petitioners : Mr.C.Iyyapparaj

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

ORDER

This petition has been filed seeking to quash the FIR in Crime No.74 of 2023,
pending on the file of the 1st respondent.



2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the 1st respondent Police.

3. The contentions put forward by the learned counsel appearing on behalf of the petitioners is 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.**, 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.

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

08.03.2024

Index: Yes/No
Speaking Order/Non Speaking Order
kp



WEB COPY



To

- 1.The Inspector of Police
K-2, Ayanavaram Police Station
Chennai.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY

4



kp

CRL.O.P No.5785 of 2024

08.03.2024