



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.6369 of 2024
and CRL.M.P No.4691 of 2024

M.Nallamuthu

...Petitioner

Vs.

1.The Sub Inspector of Police,
Chithode Police Station,
Erode District.
(Crime No.2 of 2024)

2.K.Thiyagarajan

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the Crime No.22 of 2024 on the file of the Sub-Inspector of Police, Chithode Police Station, Erode District and quash the same in respect of the petitioner.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mr.A.Gopinath
Government Advocate for R1



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ORDER

This criminal original petition has been filed to call for the entire records pertaining to the Crime No.22 of 2024 on the file of the Sub-Inspector of Police, Chithode Police Station, Erode District and quash the same in respect of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side).

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

15.03.2024

Index: Yes/No
Internet: Yes/No
ssr

To

- 1.The Sub Inspector of Police,
Chithode Police Station,
Erode District.
- 2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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