



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.6630 of 2024
and CRL.M.P No.4859 of 2024

1.Ashokkumar

2.Eswari

...Petitioners

Vs.

1.The State rep. by
The Inspector of Police,
Bhavani Police Station,
Erode District.
(Crime No.118 of 2023)

2.Eswaramoorthy

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the Crime No.118 of 2024 on the file of the Inspector of Police, Bhavani Police station, Erode District and quash the same.

For Petitioner : Mr.B.Kumarasamy

For Respondents : 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.118 of 2024 on the file of the 1st respondent Police and quash the same.

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

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. It is also seen from records that the respondent police is investigating the case and counter in Crime Nos.117 and 118 of 2024.

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

20.03.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
ssr

To

1.The Inspector of Police,
Bhavani Police Station,
Erode District.

2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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