



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.19533 of 2023
and Crl.MP.No.13183 of 2023

R.Babu @ Punniamoorthy

...Petitioner/Accused No.1

.Vs.

1.State rep.by

The Inspector of Police

Chidambaram Taluk Police Station

Cuddalore.

(Cr.No.278 of 2022)

..1st Respondent/Complainant

2.Vishnu Priya

..2nd Respondent/De facto Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records to the FIR in Crime No.278 of 2022 on the file of the Inspector of Police, Chidambarak Taluk Police Station, Chidambaram, cuddalore in respect of the petitioner ehrein is concerned.

For Petitioners : Mr.R.Thamarai Selvan

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

Mrs.Haritha @ KR.Vishnu Priya for R2
(Party in Person)

ORDER

This petition has been filed seeking to quash the FIR in Crime No.278 of 2022, pending on the file of the 1st respondent.



2. Heard the learned counsel for the petitioner 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 petitioner 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.

12.03.2024

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



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To

- 1.The Inspector of Police
Chidambaram Taluk Police Station
Cuddalore.
- 2.The Public Prosecutor,
High Court of Madras,
Madras.



WEB COPY



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N.ANAND VENKATESH.J.,

kp

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