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Crl.O.P.No.23069 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.23069 of 2023

B.Vinothkumar
S/o.Balasubramani

...Petitioner

Vs

1.The State represented by its
Inspector of Police (Crime),
T-1 Ambattur Police Station,
Chennai - 600 053.

2.Saravanan
S/o.Selvam

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records pertaining to FIR No.447/2023 dated 14.05.2023 on the file of first respondent police and quash the same.

For Petitioner : Mr.P.Ayyachamy

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.side) [R1]



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ORDER

This petition has been filed to call for the records in Crime No.447 of 2023 on the file of the first respondent and quash the same.

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

3. The contentions put forward by 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.



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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.

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 (3) months from the date of receipt of a copy of this order.

22.01.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Inspector of Police (Crime),
T-1 Ambattur Police Station,
Chennai - 600 053.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

gm

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