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Crl.O.P.No.23104 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.23104 of 2023

And

Crl.M.P.No.16213 of 2023

D.Baskaran

... Petitioner

Vs.

1.State rep. by
The Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
(Crime No.616/2023)

2.Shanmuga Sundaram

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records of F.I.R. in Crime No.616 of 2023, pending investigation on the file of the first respondent Police and quash the same.

For Petitioner : Mr.C.Iyyapparaj
For Respondents : Mr.A.Gopinath for R1
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to call for the records in Crime



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No.616 of 2023 on the file of the first respondent and quash the same.

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2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. 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.

5.In the result, this criminal original petition is dismissed and the respondent Police is directed to proceed further with the investigation



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N.ANAND VENKATESH,J.
pri

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