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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22578 of 2023
and Crl.M.P No.15803 of 2023

D.Raju

.. Petitioner/Accused No.35

vs.

1.The Inspector of Police
District Crime Branch
Coimbatore District.

..1st Respondent/Complainant

Crime No.3 of 2022

2.Jagankumar.T

.. 2nd Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the FIR in Crime No.3 of 2022, on the file of the Inspector of Police, DCB Coimbatore in respect of the petitioner herein is concerned and to quash the same.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.A.Gopinath
Government Advocate (Crl.Side) for

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ORDER

This petition has been filed seeking to quash the FIR in Crime No.3 of 2022, pending on the file of the Inspector of Police, DCB Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side), for the respondents.

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.***, 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.

12.01.2024

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

To

1. The Inspector of Police
District Crime Branch
Coimbatore District.

2. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.
kp

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