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Criminal Original Petition No.22687 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.22687 of 2023

and

Crl.M.P.No.15849 of 2023

M.Naveen Kumar
S/o.Madeshwaren

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Kannankuruchi Police Station,
Salem City.
(Crime No.928/2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in Crime No.928 of 2022 on the file of the respondent police and quash the same.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to call for the records in Crime No.928 of 2022 on the file of respondent and quash the same.



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2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondent.

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.

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



Criminal Original Petition No.22687 of 2023

WEB COPY

or a closure report, as the case may be, within a period of six (6) weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

02.02.2024

Speaking Order/Non-speaking Order

Index : Yes/No

Neutral citation: Yes/No

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To

1.The Inspector of Police,
Kannankuruchi Police Station,
Salem City.

2.The Public Prosecutor,
High Court, Madras.



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Criminal Original Petition No.22687 of 2023

N.ANAND VENKATESH, J.

gm

Criminal Original Petition No.22687 of 2023

02.02.2024