



1 of 4

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.22702 of 2023
and Crl.MP.No.15863 of 2023

1.M.Sudhakar naidu @ Manchau Sudhakar
2.H.R.Ganesan
3.D.Kaladharan
4.S.Sivakumar @ Siva

.. Petitioners/A1 to A4

VS.

1.The Inspector of Police
Thiruverkadu Police Station
Thiruverkadu
Chennai.

.. 1st Respondent/Complainant

(Crime No.469 of 2022)

2.Mr.Ramkumar

..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 case in Crime No.469 of 2022, pending investigation on the file of the 1st respondent and quash the same.

For Petitioner : Mr.K.G.Senthil Kumar

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

ORDER



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This petition has been filed to call for the records in Crime No.469 of 2022, on the file of the 1st respondent police and quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing on behalf of the 1st respondent.

3. The contentions put forward by the learned counsel appearing on behalf of the petitioners 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. It is brought to the notice of this Court that there is a case and counter in Crime Nos.469 of 2022 and 470 of 2022 and both the crime numbers are investigated by the respondent police. It is also brought to the notice of this Court that investigation has been completed in both the FIRs. In view of the same, there is no question of interfering with the FIR at this stage and the respondent police must be permitted to file the final report based on the investigation which has already been completed.

5. 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.

<https://www.mhc.tn.gov.in/judis> 6. 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.

12.01.2024

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

To

1.The Inspector of Police
Thiruverkadu Police Station
Thiruverkadu
Chennai.

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



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4 of 4



N. ANAND VENKATESH,. J.

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