



Criminal Original Petition No.1815 of 2024

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.1815 of 2024

and

Crl.M.P.No.1286 of 2024

G.L.Munikrishnan
S/o.Late G.Lokesh

... Petitioner

Vs.

State represented by
The Inspector of Police,
T-1 Tambaram PEW, Chennai.
Crime No.342 of 2023.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure pleaded to call for the entire records in connection with the First Information Report in Crime No.342 of 2023 on the file of respondent police and quash the same.

For Petitioner : Mr.M.V.Bibin Mahesh

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This petition has been filed seeking to quash the First Information Report in Crime No.342 of 2023 on the file of respondent.

2. Heard Mr.M.V.Bibin Mahesh, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The main ground that was urged by learned counsel for petitioner was that on 23.08.2023 at about 12.30 a.m., the Sub-Inspector of Police had come to the residence of the petitioner and he was taken in his vehicle. Around 06.30 a.m., the petitioner was falsely implicated in a case as if he was attempting to sell Ganja. Learned counsel submitted that the CCTV footages are available and the same has been recorded in a pen drive and that by itself will show that the petitioner has nothing to do with the alleged offence.

4. The contentions put forth by the learned counsel appearing on behalf of the petitioner are purely factual in nature and this Court cannot



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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.

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.

6. The pen drive that was relied upon by the petitioner was handed over to the police officer, who was present before this Court. Learned Additional Public Prosecutor submitted that apart from the other materials, the confession of the co-accused is also against the petitioner. It is left open to the investigating officer to consider the pen drive that was handed over by the petitioner and the same shall also be made part of the material in the course of investigation.



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N.ANAND VENKATESH, J.

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In the result, this Criminal Original Petition is disposed of 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 (2) months 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,
T-1 Tambaram PEW, Chennai.
Crime No.342 of 2023.

2. The Public Prosecutor,
High Court, Madras.

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