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CrI OP No.28738 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.28738 of 2023

and

CrI.MP.No.20010 & 20012 of 2023

1. K.R.Sadasivam

2. S.Vijayarani

...Petitioners

Vs.

1. The State Represented by
the Inspector of Police
Modakurichi Police Station
Modakurichi Taluk, Erode District

2. K.Sivaranjith

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pertaining to the Cr. No.104/2023 dated 30.05.2023 on the file of the Modakurichi Police Station, Modakurichi Taluk, Erode District and quash the same.

For Petitioners

: Mr.S.Sridharan

For Respondent

: Mr.A.Damodaran

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.104 of 2023 on the file of the Inspector of Police, Modakurichi Police Station, Modakurichi Taluk, Erode District.



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2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor 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. 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



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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 petitions are closed.

02.01.2024

Index : Yes / No

Internet : Yes / No

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To

1. The Inspector of Police
Modakurichi Police Station
Modakurichi Taluk, Erode District
2. The Public Prosecutor,
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J.,

rka

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