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CrI OP No.28795 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.28795 of 2023

1. R.Premanand
2. P.Ramani

...Petitioners

Vs.

1.The State
Rep. by the Inspector of Police
Perambalur Police Station
Perambalur District

2.Divya, aged about 31 years
W/o.Late.Abdul Rahman
No.3, Arignar Anna Street
Aranaarai Village
Perambalur District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the entire records pursuant to the First Information Report of Crime No.421 of 2023 on the file of the Inspector of Police, Perambalur Police Station, Perambalur District and quash the same.

For Petitioner
For Respondent

: Mr.V.Vadivalagia Nambi
: Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.421 of 2023 on the file of the Inspector of Police, Perambalur Police Station, Perambalur District.

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



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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 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, as expeditiously as possible from the date of receipt of a copy of this order.

02.01.2024

Index : Yes / No

Internet : Yes / No

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To

1. The Inspector of Police
Perambalur Police Station
Perambalur District

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

N.ANAND VENKATESH, J.,



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