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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.4448 of 2024
and Crl.M.P No.3267 of 2024

V.Adhithya

.. Petitioner/5th Accused

vs.

1.The State rep.by
Inspector of Police
Chettipalayam Police Station
Coimbatore District.
(Crime No308 of 2023)

..Respondent/ Complainant

2.Kishore

..Respondent/De facto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the Cr.No.308 of 2023, pending on the file of the Inspector of Police, Chettipalayam Police Station, Coimbatore District.

For Petitioner : Mr.R.Thirumalai

For R1 : Mr.A.Damodaran
Additional Public Prosecutor for R1

ORDER

<https://www.mhc.tn.gov.in/judici> This petition has been filed seeking to quash the FIR in Crime No.308



of 2023, pending on the file of the Inspector of Police, Chettipalayam Police Station, Coimbatore District.

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

3. The contentions put forward by the learned counsel appearing on behalf of the petitioner is 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 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 four weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

27.02.2024

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

To

1. Inspector of Police
Chettipalayam Police Station
Coimbatore District.

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

N. ANAND VENKATESH,. J.

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