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Crl.O.P.No.1062 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1062 of 2024

and

Crl.M.P.No.720 of 2024

M.Mariya John Franklin
S/o.Maria Joseph

...Petitioner

Vs

1.State represented by
The Inspector of Police,
Anandapuram Police Station,
Villupuram District.
Crime No.386 of 2023

2.Vironica
W/o.Maria James

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for the records pertaining to Crime No.386 of 2023 on the file of first respondent and quash the same.

For Petitioner : Mr.R.Baskar
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER



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This petition has been filed to call for the records in Crime No.386 of 2023 on the file of the first respondent and quash the same.

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

3. Learned Additional Public Prosecutor submitted that there is a case in counter in Crime No.392 of 2023 on the file of first respondent.

4. The contentions put forward by learned counsel appearing on behalf of the petitioner 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.

5. In the facts and circumstances of the case, this Court is not inclined



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to interfere with the investigation conducted by the respondent police at this stage.

In the result, this Criminal Original Petition is dismissed and the respondent Police is directed to proceed further with the investigation in Crime Nos.386 and 392 of 2023 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. Consequently, connected miscellaneous petition is closed.

23.01.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Inspector of Police,
Anandapuram Police Station,
Villupuram District.
Crime No.386 of 2023

2. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J



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