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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Crl.O.P(MD)No.2025 of 2023
and
Crl.M.P(MD)Nos.1775 & 1776 of 2023

L.Balaji

... Petitioner

Vs

1. The Inspector of Police,
Amathur Police Station,
Virudhunagar District.
Crime No.22 of 2014.

2. A.Rakkinimary

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, To call for the records relating to Crime No.22 of 2014 on the file of the first respondent and quash the same as against the Petitioner.

For Petitioner : Mr.K.Bala Sundaram

For M/s.KBS Law office

For R1 : Mr.S.Ravi

Additional Public Prosecutor

For R2 : Mr.K.K.Kannan



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ORDER

This Criminal Original Petition has been filed seeking to quash the FIR in Crime No. 22 of 2014 pending investigation on the file of the first respondent.

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

3. The contentions put forward by the 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.

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.

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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 three months from the date of receipt of a copy of this order. If ultimately final report is filed against the petitioner and process is issued to the petitioner, he is aggrieved by the same, it is left open to him to workout his remedy in the manner known to law, if so advised. Consequently, connected miscellaneous petition is closed.

05.11.2024

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

To

1. The Inspector of Police,
Amathur Police Station,
Virudhunagar District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.ANAND VENKATESH, J.

LR

Crl.O.P(MD)No.2025 of 2023

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