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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

CORAM

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

Crl.O.P(MD)No.18086 of 2022

and

Crl.M.P(MD)No.12070 of 2022

Xavier

... Petitioner

Vs

1. The Inspector of Police,
City Crime Branch (CCB), Trichy,
Crime No. 29/2021.

2. Krishnamoorthi

... Respondents

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to call for the records pertaining to FIR in Crime No. 29/2021 on the file of the 1st respondent police and quash the same with regard to the petitioner and pass such other and further orders

For Petitioner : Mr.Murugan R,

For R1 : Mr.A.Albert James
Government Advocate (Crl.Side)

For R2 : Mr.N.S.Karthikeyan



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ORDER

This petition has been filed to call for the records in Crime No.29 of 2021 on the file of the Inspector of Police, City Crime Branch (CCB), Trichy and quash the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side).

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



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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 six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

11.12.2024

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

To

1. The Inspector of Police,
City Crime Branch (CCB), Trichy.

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



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N.ANAND VENKATESH, J.

LR

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