

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.16293 of 2015

Sivabalan

... Petitioner

Vs

1. The Inspector of Police,
B1, North Beach Police Station,
Chennai - 600 001.

2. The Commissioner of Police,
Chennai City,
Vepery, Chennai-600 007.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to pass an order, directing the 1st respondent herein viz, the Inspector of Police, B1, North Beach Police Station, Chennai, to register a case on the complaint given by him on 26.06.2015 to the 1st respondent herein.

For Petitioner : Mr.I.Abrar Md.Abdullah

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed praying to direct the 1st respondent herein to register a case on the complaint given by the petitioner on 26.06.2015 .

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

3. On a reading of the complaint, it is seen that this petitioner is an importer and availed of the services of M/s.Greenwich Meridian Logistics Pvt. Ltd., which is a Customs House Agent. Initially, they had agreed to charge a sum of Rs.8,000/-. But later, they had billed the petitioner for

Rs.62,423/-. When the petitioner started questioning this bill, they further reduced the bill amount to Rs.34,599/- which was also not acceptable by the petitioner and the goods were not released.

4. The activities of the Customs House Agent are regulated by the rules framed by the Commissioner of Customs. When a remedy is provided for lodging a complaint against them, if there is any allegation against them, the Police cannot be directed to enquire into these complaints, for that would amount to abuse of process of law. Under such circumstances, this petition is closed with liberty to the petitioner to work out his remedy in a manner known to law.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
B1, North Beach Police Station,
Chennai - 1.
- 2.The Commissioner of Police,
Chennai - 7.
- 3.The Public Prosecutor
High Court, Madras.

+1cc to Mr.I.Abrar Md.Abdullah, Advocate, S.R.No.33146

सत्यमेव जयते

Cr1.OP No.16293 of 2015

CNR(CO)
CA(10/07/2015)

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