

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6385 of 2019

W.G.S.Mary Jyothy

... Petitioner

Vs.

The Inspector of Police,
Tiruttani Town Police Station,
Tiruttani, Thiruvallur District.

...
Respondent

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to furnish the statement of Balaiah dated 16.10.2018 recorded by the Inspector of Police Vinayagam, Tiruttani Town Police Station.

For Petitioner : Mr.V.Nithyanandam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the respondent Police to furnish the statement of one Balaiah dated 16.10.2018 recorded by the Inspector of Police Vinayagam, Tiruttani Town Police Station.

2. There was a civil dispute between the petitioner and one Balaiah, for which the petitioner gave a complaint to the respondent on 16.03.2018. Since the same was not registered, the petitioner approached this Court in Crl.O.P.No.9041 of 2018 and this Court by an order dated 23.03.2018, issued direction to register a case, if prima facie case is made out. Pursuant to the order, the respondent Police conducted an enquiry in connection with the complaint of the petitioner and recorded the statement of one Balaiah, who is the opposite party. Now, the petitioner seeks to furnish the said statement of Balaiah, recorded by the Inspector of Police on 16.10.2018.

3. The learned Additional Public Prosecutor submitted that

this petition itself is not maintainable and the petitioner can get the information only through Right to Information Act. He further submitted that on the direction issued by this Court in Crl.O.P.No.9041 of 2018 on 23.03.2018, the respondent Police have conducted an enquiry and closed the complaint as "mistake of fact".

4.In view of the submission made by the learned Additional Public Prosecutor, the direction sought for by the petitioner cannot be granted. However, the respondent Police is directed to serve a copy of the closure report to the petitioner.

5.Accordingly, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar(I Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Tiruttani Town Police Station,
Tiruttani, Thiruvallur District.
2. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.V.Nithyanandam, Advocate, S.R.No.22540

सत्यमेव जयते

CRL.O.P.No.6385 of 2019

BR(CO)
CS/25/04/2019

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