

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CrI.O.P.No.659 of 2020

Rajamanikam

... Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office,
Chennai.

2.State Rep By:
Inspector of Police,
MGR Nagar Police Station, R-10,
Chennai.

... Respondents

PRAYER : This petition has been filed under Section 482 of the Code of Criminal Procedure, to direct the respondents police to take the further action on the petitioner complaint dated 12.11.2019 vide C.No.2481/Cop/Visitors/2019.

For Petitioner : Mr.A.Saranraj

For Respondents : Mr.M.Mohamad Riyaz

Additional Public Prosecutor

सत्यमेव जयते
J U D G M E N T

This Criminal Original Petition has been filed by the petitioner, to direct the respondents police to take the further action on the petitioner's complaint dated 12.11.2019 vide C.No.2481/Cop/Visitors/2019.

2.The learned counsel for the petitioner has submitted that the petitioner has married one Saritha in the year of 2007 and they lead a married life for the past 15 years. He further submitted that subsequently the said Saritha has developed illegal relationship with one Krishnamoorthi and she ran away with him by taking jewels worth about Rs.5,00,000/- and also

cash of Rs.2,00,000/- and hence, the petitioner lodged a complaint before the 2nd respondent on 12.11.2019. He further submitted that after receipt of the said complaint, the 2nd respondent has called the said Saritha and enquired with her and at that time, she admitted the offence. But, even then, the respondents have not registered a case against her and hence, he requests to direct the 2nd respondent to take further action on the complaint dated 12.11.2019.

3.Per Contra, the learned Additional Public Prosecutor has submitted that the petitioner has lodged a complaint on 12.06.2019 itself before the 2nd respondent and on receipt of the said complaint, it was acknowledged and C.S.R.No.324/2019 was given and thereafter preliminary enquiry was conducted and closed on 22.06.2019 and thereafter again the petitioner has sent a complaint to the 1st respondent by marking copy to the 2nd respondent. He further submitted that since already the petitioner's complaint was closed on 22.06.2019, the second complaint was not entertained by the 2nd respondent.

4.Hence, this petition is closed. The 2nd respondent is directed to send intimation to the petitioner with regard to the closure of the petitioner's complaint by registered post with acknowledgment within a period of two weeks from the date of receipt of copy of this order. It is open to the petitioner to avail any other remedy which is available under law.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gbi

1.The Commissioner of Police,
Commissioner Office,
Chennai.

2.The Inspector of Police,
MGR Nagar Police Station, R-10,
Chennai.

3.The Public Prosecutor,High Court of Madras.

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A.SK(05/03/2020)