

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.01.2020

Coram:

The Honourable Mr. Justice P.RAJAMANICKAM

Crl.O.P.No.1078 of 2020

W.David Shanthakumar

... Petitioner

Versus

1. The Commissioner of Police,
Chennai City,
Veppery, Chennai - 600 007.

2. The Deputy Commissioner of Police,
Incharge of
Chitlapaakam Police Station (S-12)
St Thomas Mount, Chennai - 600 016.

3. The Inspector of Police (L&O)
Chitlapaakam Police Station,
Jothinagar,
Chitlapaakam - 600 064.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to direct the third respondent to take further action on the petitioner's complaint dated 09.10.2019.

For Petitioner :Mr.G.Pavendhan

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

ORDER

This petition has been filed to direct the third respondent to take further action on the petitioner's complaint dated 09.10.2019.

2. The learned Additional Public Prosecutor has submitted that after receipt of the complaint of the petitioner, C.No.93 of 2019 was issued and after conducting preliminary enquiry, the petitioner's complaint was closed on 13.12.2019.

3. The learned counsel for the petitioner has submitted that without hearing the petitioner, the third respondent has closed the petitioner's complaint.

4. In view of the Division Bench decision of this Court in G.Prabakaran Vs. The Superintendent of Police, Thanjavur in (CrI.O.P.(MD)No.13681 of 2018 batch) dated 20.09.2018, that once a complaint is closed by the SHO, the informant cannot invoke Section 482 of Cr.P.C., as the remedy lies elsewhere.

5. Therefore, this Criminal Original Petition is closed. It is open to the petitioner to avail any other remedy which is available under the law.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ebsi
To

1. The Commissioner of Police,
Chennai City,
Veppery, Chennai - 600 007.
 2. The Deputy Commissioner of Police,
Incharge of
Chitlapaakam Police Station (S-12)
St Thomas Mount, Chennai - 600 016.
 3. The Inspector of Police (L&O)
Chitlapaakam Police Station,
Jothinagar,
Chitlapaakam - 600 064.
 4. The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.Pavendhan, Advocate Sr.4435

CrI.O.P.No.1078 of 2020

mp[co]
srg 25/02/2020