

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.NO.3412 OF 2020

V.Thirupathy

.. Petitioner

-vs-

1. The Commissioner of Police,
Veppery,
Chennai - 600 045.
 2. The Assistant Commissioner of Police,
West Tambaram,
Chennai - 600 045.
 3. The Inspector of Police,
S-11, Tambaram Police Station.
- .. Respondents

Prayer:

Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to take further action based on the complaint lodged by the petitioner dated 12.10.2019 and investigate the same accordance to law.

For Petitioner : Mr.G.M.Syed Fasi Mohammed

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

ORDER

This Criminal Original Petition has been filed to direct the respondents to take further action based on the complaint lodged by the petitioner dated 12.10.2019 and investigate the same.

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

3. The learned Additional Public Prosecutor has submitted

that after receipt of the complaint from the petitioner on 12.10.2019, C.S.R.No.824 of 2019 was issued and after preliminary enquiry, the said complaint was closed on 05.12.2019.

4. The learned counsel for the petitioner has submitted that the petitioner has not received any intimation with regard to closure of the petitioner's complaint.

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

6. Considering the aforesaid submissions of the learned Additional Public Prosecutor this petition is closed. The third respondent is directed to send an intimation about the closure of the petitioner's complaint by RPAD within seven days from the date of receipt of a copy of this order. It is open to the petitioner to avail any other remedy which is available under law.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Veppery, Chennai - 600 045.
2. The Assistant Commissioner of Police,
West Tambaram,
Chennai - 600 045.
3. The Inspector of Police,
S-11, Tambaram Police Station.
4. The Additional Public Prosecutor,
High Court, Madras.

CRL.O.P.No.3412 of 2020

RR(CO)
CS/22/05/2020