

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.2528 of 2020

Abdul Qadeer

...Petitioner

-Vs-

State of Tamil Nadu
Represented by Inspector of Police,
Town Police Station,
Vaniyambadi - 635 751.
Vellore District.

... Respondent

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent police to take proper action based on the complaint dated 11.07.2018 lodged by the petitioner vide in C.S.R.No.189 of 2018.

For Petitioner : Mr.B.Ram Prasath

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

ORDER

This Criminal Original Petition has been filed to direct the respondent police to take proper action based on the complaint dated 11.07.2018 lodged by the petitioner vide in C.S.R.No.189 of 2018.

2. The learned Additional Public Prosecutor has submitted that after preliminary enquiry, the petitioner's complaint vide C.S.R.No.189 of 2018 was closed on 17.02.2020 itself.

3. The learned counsel for the petitioner has submitted that so far no enquiry has been conducted and without conducting

any enquiry, the respondent has closed the petitioner's complaint and no intimation was served on him with regard to the closure of the petitioner's complaint.

4. In view of the decision of the Division Bench 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 under Section 482 of Cr.P.C., as the remedy lies elsewhere. Hence, this criminal original petition is closed. The respondent is directed to serve the closure report to the petitioner by RPAD within a week 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(CCC)

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Inspector of Police,
Town Police Station,
Vaniyambadi - 635 751.
Vellore District.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2528 of 2020

KK(CO)
CS/28/05/2020

सत्यमेव जयते

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