

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.3052 of 2020

L.Venugopal

...Petitioner/Complainant

-Vs-

State rep by
The Inspector of Police,
C2, Race Course Police station,
Coimbatore.

...Respondent

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent to take further action based on the complaint given by the petitioner dated 23.10.2019 on the file of the respondent.

For Petitioner : Mr.S.N.Arunkumar

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

ORDER

This Criminal Original Petition has been filed to direct the respondent to take further action based on the complaint given by the petitioner dated 23.10.2019 on the file of the respondent.

2. The learned Additional Public Prosecutor has submitted that after preliminary enquiry, the petitioner's complaint vide C.S.R.No.359 of 2019 was closed on 05.11.2019 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

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
C2, Race Course Police station,
Coimbatore.

2.The Public Prosecutor,
High Court,
Madras.

+1 cc to Mr.S.N.Arunkumar, Advocate, S.R.No.14395

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SVI (CO)
RN(18/05/2020)
RN(22/07/2020)