

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.3135 of 2020

G.Nagarajan

...Petitioner

-Vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dharmapuri.
2. The Inspector of Police,
Kambainallur Police Station,
Karimangalam Taluk,
Dharmapuri District.

.... Respondents

Prayer:

Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to take further action upon the petitioner's complaint dated 30.12.2019.

For Petitioner : Mr.M.Mariappan

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

ORDER

This Criminal Original Petition has been filed to direct the second respondent to take further action upon the petitioner's complaint dated 30.12.2019.

2. The learned Additional Public Prosecutor has submitted that after preliminary enquiry, the petitioner's complaint vide C.S.R.No.27 of 2020 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 (Cr1.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 second 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(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dharmapuri.
2. The Inspector of Police,
Kambainallur Police Station,
Karimangalam Taluk, Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Chinnaraj, Advocate, S.R.No.14298

Cr1.O.P.No.3135 of 2020

KK(CO)
KKV/20/03/2020