

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.3575 of 2020

M/s.K.C.Jewellers
Represented by its partner
Mr.N.Pavan Kumar,
No.50, N.S.C.Bose Road,
Sowcarpet,
Chennai - 600 001.Petitioner

-Vs-

1. The Commissioner of Police,
Greater Chennai City,
Vepery,
Chennai - 600 007.
2. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery,
Chennai - 600 007.
3. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
4. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.
5. The Inspector of Police,
Bank Frauds Wing,
Central Crime Branch,
Vepery,
Chennai - 600 007. Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 5th respondent police to take further action on the petitioner's complaint dated 21.06.2019 and investigate the matter in accordance with law.

For Petitioner : Mr.A.Illaya Perumal
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

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ORDER

This Criminal Original Petition has been filed to direct the 5th respondent police to take further action on the petitioner's complaint dated 21.06.2019 and investigate the matter in accordance with law.

2. The learned Additional Public Prosecutor has submitted that after preliminary enquiry, the petitioner's complaint vide in C.No.3363 of 2019 dated 21.06.2019 was closed on 18.09.2019 itself and the closure of the report of same sent to the petitioner on 24.09.2019.

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 fifth 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/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mfa

To

1. The Commissioner of Police,
Greater Chennai City,
Vepery,
Chennai - 600 007.
2. The Deputy Commissioner of Police,
Central Crime Branch,
Vepery,
Chennai - 600 007.
3. The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
4. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.
5. The Inspector of Police,
Bank Frauds Wing,
Central Crime Branch,
Vepery,
Chennai - 600 007.
6. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.A.Ilaya Perumal advocate sr15867

Cr1.O.P.No.3575 of 2020

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