

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.3658 of 2020

M.Neethi Devi

...Petitioner

-Vs-

1.The Deputy Commissioner of Police,
North Beach Road,
B-1, Police Station,
Chennai - 600 001.

2.The Inspector of Police,
B-1, Police Station,
Chennai - 600 001.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to take further action on the complaint given by the petitioner dated 03.12.2019 and to proceed with the investigation according to law.

For Petitioner : Mr.S.Doraiswamy
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 on the petitioner's complaint dated 03.12.2019 and to proceed with the investigation according to law.

2. The learned Additional Public Prosecutor has submitted that after preliminary enquiry, the petitioner's complaint vide C.S.R.No.489 of 2019 was closed on 19.02.2020 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 her 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 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mfa

To

- 1.The Deputy Commissioner of Police,
North Beach Road,
B-1, Police Station,
Chennai - 600 001.
- 2.The Inspector of Police,
B-1, Police Station,
Chennai - 600 001.
- 3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Duraisamy, Advocate, SR.No.14636

PM(CO)

rli(21/05/2020)

सत्यमेव जयते

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