



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2020

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.8670 of 2020

R.C.Swaminathan

.. Petitioner

-vs-

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 7.
 - 2.The Assistant Commissioner of Police (Cyber Crime),
Office of the Commissioner of Police,
Vepery, Chennai - 7.
 - 3.The Sub-Inspector of Police,
Cyber Crime Cell,
Central Crime Branch,
Office of the Commissioner of Police,
Vepery, Chennai - 7.
- .. Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the 3rd respondent to register a F.I.R based on the complaint of the petitioner dated 20.05.2020 and addendum dated 25.05.2020.

For Petitioner : Mr.Richardson Wilson
For Respondents : Mr.A.Prabhakar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the 3rd respondent to register a F.I.R based on the complaint of the petitioner dated 20.05.2020 and addendum dated 25.05.2020.

2.Heard learned Counsel appearing for the petitioner.

3.Learned Additional Public Prosecutor, on instructions, submitted that two complaints were given on 20.05.2020 and 25.05.2020 and the same was enquired and closed by a closure



report on 28.05.2020. The closure report has also been sent to the petitioner.

4. Learned counsel for the petitioner submitted that the complaint and the materials that were supplied along with the complaint clearly makes out a cognizable offence and therefore, the closure report itself is against the dictum of the Hon'ble Supreme Court of India in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 35.

5. This Court, while considering this petition, is not inclined to go into the reasons as to why the complaint was closed. It is left open to the petitioner to workout his remedy, in accordance with law, if he is aggrieved by the closure of the complaint. Except giving this liberty, no further orders can be passed in this petition.

Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bri

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 7.
2. The Assistant Commissioner of Police (Cyber Crime),
Office of the Commissioner of Police,
Vepery, Chennai - 7.
3. The Sub-Inspector of Police,
Cyber Crime Cell,
Central Crime Branch,
Office of the Commissioner of Police,
Vepery, Chennai - 7.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.8670 of 2020

BR(CO)
EU 10.07.2020