

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2020

Coram:

The Honourable Mr. Justice P.RAJAMANICKAM

Crl.O.P.No.34379 of 2019

1. S.Vaithiyanathan
2. D.Vasanthi

... Petitioners

Versus

1. The State, represented by
The Inspector of Police,
Vikravandi Police Station,
Vikravandi- 605 652.
Villupuram District.
2. The Sub Inspector of Police,
Periyathatchur Police Station,
Periyathatchur -605 652
Tindivanam Taluk,
Villupuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to direct the second respondent to take further action on the complaints of the first petitioner dated 17.05.2019 impounded in CSR.No.362 of 2019.

For Petitioners : Mr.C.Samadharm Arasu

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

ORDER

This petition has been filed to direct the second respondent to take further action on the complaints of the first petitioner dated 17.05.2019 impounded in CSR.No.362 of 2019

2. The learned Additional Public Prosecutor has submitted that after enquiry, the petitioner's complaint was closed on 11.11.2019 itself.

3. The learned counsel for the petitioner has submitted that so far no enquiry has been conducted and without conducting any enquiry, the respondents have closed the petitioners' complaint and no intimation was served on the petitioners.

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 petitioners by registered post within a week from the date of receipt of a copy of this order. It is open to the petitioners to avail any other remedy which is available under law.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

Vv

To

1. The Inspector of Police,
Vikravandi Police Station,
Vikravandi- 605 652.
Villupuram District.
2. The Sub Inspector of Police,
Periyathatchur Police Station,
Periyathatchur -605 652
Tindivanam Taluk,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.34379 of 2019

srg 17/02/2020