



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12107 of 2021

M.Edwin Christopher

... Petitioner

Versus

1.The Deputy Commissioner of Police
St.Thomas Mount
Chennai.

2.The Station House Officer
S14, Peerkankaranai Police Station
Chennai 600 06.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the second respondent police to register the case on the complaint dated 15.03.2019 as directed by the order of the Court of Judicial Magistrate in Crl.M.P.No.3585 of 2019 dated 02.07.2019.

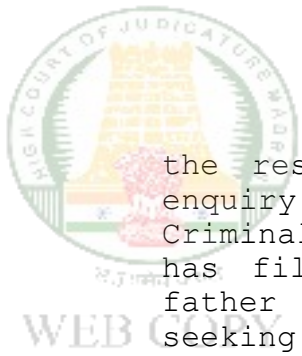
For Petitioner : Mr.S.Conscious Ilango

For Respondents: Mr.J.Thomas Edwin Fantin

O R D E R

This petition has been filed seeking a direction, to issue a direction to the second respondent police to register the case on the complaint dated 15.03.2019 as directed by the order of the Court of Judicial Magistrate in Crl.M.P.No.3585 of 2019 dated 02.07.2019.

2. The petitioner sent a complaint to the Deputy Commissioner of Police, St.Thomas Mount, Chennai on 15.03.2019. Since no action was taken, the petitioner filed a petition under Section 156(3) Cr.P.C., before the Judicial Magistrate, Tambaram in Crl.M.P.No.3585 of 2019. The Judicial Magistrate, Tambaram, by the order dated 02.07.2019 had forwarded the said complaint to the second respondent Police. Thereafter, the petitioner's father filed Crl.O.P.No.20336 of 2019 seeking direction directing the Inspector of Police, S14, Peerangkaanai Police Station to comply with the order of the Judicial Magistrate, Tambaram, passed in Crl.M.P.No.3585 of 2019. It is submitted that even before the order of the Judicial Magistrate reached



the respondent police on 28.07.2019, the case was closed as enquiry conducted and no further action is required. Hence, the Criminal Original Petition has been closed. Now the petitioner has filed a second petition for similar prayer. Earlier his father T.Muthu filed a petition in Crl.O.P.No.20336 of 2019 seeking similar prayer.

3. The learned counsel for the respondents has submitted that after considering the order of this Court in Crl.M.P.No.3585 of 2019 dated 02.07.2019, the complaint of the petitioner was closed by the respondent police on 28.07.2019 as no further action need to be done. The said petition is also of the same prayer and hence, this petition is not maintainable and it has to be dismissed. Earlier the petitioner's father Muthu filed and now the petitioner has filed for the same prayer, which has to be dismissed in limine.

4. The learned counsel for the petitioner has submitted that though it is stated that the petitioner's complaint was closed on 28.07.2019, the closure report was not furnished to him. If the same is furnished, he would work out his remedy by filing protest petition in the manner known to law.

5. In view of the same, the Inspector of Police is directed to furnish the closure report to the petitioner on his complaint dated 15.03.2019. Thereafter, it is for the petitioner to work his remedy in the manner known to law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dna

To

- 1.The Deputy Commissioner of Police
St.Thomas Mount Chennai.
- 2.The Station House Officer
S14, Peerkankaranai Police Station
Chennai 600 06.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Conscious Ilango, Advocate SR.No. 34064
CRL.O.P.No.12107 of 2021

PCH(CO)
B.VC(09.08.2021)