



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.8255 of 2022

C.P.Jabber,
S/o.Pareeth

... Petitioner

Vs

- 1.The Superintendent of Police,
Salem District.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Salem District.
- 3.The Inspector of Police,
District Crime Branch,
Salem City, Salem.
- 4.The Sub-Inspector of Police,
District Crime Branch,
Salem City, Salem.
- 5.Suresh,
S/o.Ganesan
- 6.Krithika

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., pleased to pass an order of Direction, to set aside the Closure Report (Endorsement) dated 03.02.2022 and direct the respondent police Nos.1 to 3 to conduct further enquiry and to complete the investigation by reopening the complaint dated 24.11.2021 given by the petitioner in accordance with law.

For Petitioner : M/s.Law Vision
Mr.N.Vijaya Basker

For Respondents:
For R1 to R4 : Mr.A.Gokulakrishnan
Additional Public Prosecutor



ORDER

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This Criminal Original Petition has been filed. The petitioner has pleaded to pass an order of Direction, to set aside the Closure Report (Endorsement) dated 03.02.2022 and direct the respondent police Nos.1 to 3 to conduct further enquiry and to complete the investigation by reopening the complaint dated 24.11.2021 given by the petitioner in accordance with law.

2. The learned counsel for the petitioner would submit that the petitioner is a supplier of Spices and Cardamom in the name and style of M/s.C.M.P. Enterprises at Rajakumary, Idukki District, Kerala. The fifth and sixth respondents had induced the petitioner to supply pepper and cardamom. Believing the fifth and sixth respondents, the petitioner had supplied 200 Kilograms of Pepper and 2000 Kilograms of Cardamom worth about Rs.13,84,950/- whereas, the accused persons have sent part payment and have failed to return the balance amount. When the petitioner had come to Salem for receiving the balance amount, he was detained in a room and he was threatened by the accused persons. Later, he was left out on threat. The petitioner had given a complaint against the accused persons finding that it was the modus operandi of the accused to purchase goods and cheat and threaten the suppliers.

3. The learned counsel for the petitioner would further submit that the petitioner had given a complaint to the first respondent which was forwarded to the third respondent, whereas, the third respondent without even registering a case and without conducting proper enquiry has closed the complaint. Thereby, the present petition has been filed to set aside the closure report.

4. The learned counsel for the petitioner would further submit that though the petition has been filed seeking to set aside the order, it would be suffice that liberty may be granted to challenge the closure report by way of protest petition before the appropriate forum.



5. In view of the above, this Criminal Original Petition stands disposed by granting liberty to the petitioner to challenge the closure report in accordance with law before the Jurisdictional Magistrate.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

rgm/arb

To

- 1.The Superintendent of Police,
Salem District.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Salem District.
- 3.The Inspector of Police,
District Crime Branch,
Salem City, Salem.
- 4.The Sub-Inspector of Police,
District Crime Branch,
Salem City, Salem.
- 5.The Public Prosecutor,
High Court, Madras-104.

Cr1.O.P.No.8255 of 2022

skm[co]
srg 25/04/2022