



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.17503 of 2021

C.Selvakumar

...Petitioner

-Vs-

1.The Superintendent of Police,
Chengalpattu District,
Chengalpattu - 603 002.

2.The Additional Superintendent of Police,
Chengalpattu District,
Chengalpattu - 603 002.

3.The Inspector of Police,
Thazhambur Police Station,
Navalur, Chennai - 603 103.

..Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to call for the records pertaining to issue the closure report impugned dated 06.08.2021 given by the 3rd respondent and set aside the same as illegal against documentary evidences and consequently direct to the 1st respondent to register the case as per the direction given in Cr1.O.P.No.6800 of 2021 dated 24.06.2021.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to issue the closure report impugned dated 06.08.2021 given by the 3rd respondent and set aside the same as illegal against documentary evidences and consequently direct to the 1st respondent to register the case as per the direction given in Cr1.O.P.No.6800 of 2021 dated 24.06.2021.

2.The case of the petitioner is that his wife Dr.Kayalvizhi, working as Assistant Professor in Mohamed Sathak AJ College of Engineering. It is the further case that the College



Authorities unleashed various atrocities against the petitioner's wife and she made a complaint on 12.10.2020 before the Superintendent of Police, Chengalpattu and the same was forwarded to AICTE and Anna University. Since, no action was taken by the police officials, she knocked the doors of this Court by filing writ petition in W.P.No.18391 of 2020 which is still pending. While so, the petitioner's wife had asked to return the original documents which was held by the College Authorities. The petitioner had also filed a service writ petition in W.P.No.1438 of 2021 to get back her original certificates and salary as per AICTE norms. This Court had directed the college to return her original certificates and salary by accepting all her allegations in the interim petition in WMP.No.1610 of 2010 in W.P.No.1438 of 2021.

3. Meanwhile, unable to bear the harassment given by the College Management, the petitioner's wife had attempted to commit suicide. The petitioner's wife had given a complaint on 14.12.2020. Since, the petitioner did not register a case, the petitioner had approached this Court in Crl.O.P.No.6800 of 2021 by demonstrating all the incidents with proper documents. This Court had directed the Inspector of Police, Thazhambur Police station to conduct enquiry on the complaint of the petitioner and if any cognizable offence is made out, the Inspector of Police, Thazhambur Police Station was directed to register the FIR and to proceed accordingly. Whereas, the respondent police had without registering the FIR had conducted the enquiry and closed the complaint. Thereby, the present petition has been filed seeking to set aside the closure report.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the complainant had made certain allegations against the Management of the college. This Court in Crl.O.P.No.6800 of 2021 had directed the respondent to conduct enquiry on the complaint of the petitioner and if any cognizance is made out the Inspector of Police, Thazhambur Police Station to register the FIR and proceed accordingly. The Inspector of Police, Thazhambur Police Station had conducted an investigation and finding that no cognizable offence have been made out had closed the enquiry. If the petitioner or his wife aggrieved against the said closure report, the same may be challenged before the Court concerned by filing protest petition.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents and perused the materials available on record.

6. This Court by an order dated 24.06.2021 made in Crl.OP.No.6800 of 2021 had directed the Inspector of Police, Thazambur Police Station to conduct an enquiry on the complaint



of the petitioner and if any cognizable offence is made out, the Inspector of Police, Thazambur Police Station is directed to register the FIR and proceed accordingly. Pursuant to the order of this Court dated 24.06.2021, the Inspector of Police, Thazambur Police Station had conducted enquiry and closure report has also been filed. If the petitioner is aggrieved against the closure report, he is at liberty to file protest petition before the Court concerned.

7. With the above observation, this criminal original petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jas/tsh

To

- 1.The Superintendent of Police,
Chengalpattu District,
Chengalpattu - 603 002.
- 2.The Additional Superintendent of Police,
Chengalpattu District,
Chengalpattu - 603 002.
- 3.The Inspector of Police,
Thazhambur Police Station,
Navalur, Chennai - 603 103.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Kannan, Advocate, S.R.No.23218

Cr1.O.P.No.17503 of 2021

PL(CO)
SB(26/04/2022)