



W.P.No.8388 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.8388 of 2024

B.Mahalaxmi Budha

... Petitioner

Vs.

1.The Director General of Police,
White Town, Puducherry.

2.The Superintendent of Police,
Mettupalayam,
Puducherry.

3.The Circle Inspector,
D Nagar Police Station,
Puducherry.

4.Station House Officer,
D Nagar Police Station,
Puducherry.

5.Kanagalingam

6.Naveen Kumar

7.Kiruthiga

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
pleaded to issue a Writ of Mandamus, directing the 1st to 4th respondent to
call for records pertaining to the petitioner complaint dated 23.01.2024



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and produce the investigation report before this Court.

For Petitioner : Ms.R.Meenakshi Devi

For Respondents : Mr.V.Ramachandramoorthy
Additional Public Prosecutor
(Puducherry) [R1 to R4]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 4 to call for records pertaining to the petitioner complaint dated 23.01.2024 and produce the investigation report before this Court.

2. Since no adverse order has been passed as against the respondents 5 to 7, notice to the respondents 5 to 7 is dispensed with.

3. The case of the petitioner is that, she made a complaint against the respondents 5 to 7 before the 4th respondent on 23.01.2024 for the offences under Sections 418, 420, 409, 467, 471 and 420 of IPC r/w Section 34 of IPC as against the accused persons and without registering an FIR, the 4th respondent forwarded the note file for approval from the higher officials, namely the 2nd respondent. In the meanwhile, the



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respondents 5 to 7 have filed a criminal original petition before this Court seeking to not to harass in CrI.O.P.No.3505 of 2024 and this Court, by its order, dated 19.02.2024 disposed the petition, since it is submitted by the learned Public Prosecutor (Puducherry) that the complaint given by the petitioner has been enquired and it has been closed and the petitioner has been directed to work out her remedy before civil court. However, till date, the closure report has not been served to the petitioner by the respondents 1 to 4, thereby the petitioner has filed the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Puducherry) appearing for the respondents 1 to 4.

5. The learned Additional Public Prosecutor (Puducherry) appearing for the respondents 1 to 4 submitted that, though there is no procedure available for sending the note file to the higher official seeking permission to register a criminal case, however it is only an official communication in between the respondents 4 and 2. Further, on the



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complaint given by the petitioner, investigation has been conducted and at the CSR stage, the case has been referred as action dropped on 14.02.2024 and the closure report to that effect has been filed before the jurisdictional magistrate court. Accordingly, he prays for dismissal of the writ petition.

6. In view of the above submissions, this Court is of the view that no further order is necessary in this writ petition. If at all the petitioner is aggrieved by the closure report filed by the respondents 1 to 4, she is at liberty to file a protest petition before the concerned court in the manner known to law. Further, the official respondents are directed to serve the copy of the closure report to the petitioner, if not, already served.

7. Accordingly, this Writ Petition is disposed of. No costs.

01.04.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC:Yes/No
sp



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- 3.The Circle Inspector,
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- 4.The Station House Officer,
D Nagar Police Station,
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- 5.The Public Prosecutor,
High Court of Madras.



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M.DHANDAPANI, J.

sp

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