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Crl.O.P.No.29968 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.29968 of 2024
and Crl.M.P.No.337 of 2025

S.Merlin Kamalesh

... Petitioner

Vs

1. The Commissioner of Police,
Avadi Commissionerate,
No.5/1, HVF Estate,
Bhaktavatchalam,
Avadi, Chennai - 600 054.

2. The Inspector of Police,
CCB, EDF II, Avadi Police Commissionerate,
Avadi,
Chennai - 600 054.

... Respondents

PRAYER: Criminal Original Petition is filed under 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the closure report of the second respondent in C.No.2571/COP/Avadi/Grievance / 2024 of 2023 dated 04.10.2024 as against law, illegal and the law laid down by the Apex Court in Lalitha Kumari Vs Govt of U.P and others (2013(4) Crimes 243(SC) and direct the second respondent to re-investigate the case in accordance with law.



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For Petitioner : Mr.R.Chandra Sudan
For R1 and R2 : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This petition has been filed to set aside the closure report of the second respondent in C.No.2571/COP/Avadi/Grievance / 2024 of 2023 dated 04.10.2024 as against law, illegal and the law laid down by the Apex Court in Lalitha Kumari Vs Govt of U.P and others (2013(4) Crimes 243(SC) and direct the second respondent to re-investigate the case in accordance with law.

2. Heard the learned counsel on either side and perused the materials placed on record.

3. On the complaint lodged by the petitioner, the second respondent had conducted enquiry and the same was closed by the closure report dated 04.10.2024.



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4. Admittedly, no FIR was registered. On the preliminary enquiry itself the complaint was closed. Therefore, the petitioner is having an option to file a private complaint before the concerned Court in the manner known to law.

5. Therefore, the closure report cannot be challenged. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.

12.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Commissioner of Police,
Avadi Commissionerate,
No.5/1, HVF Estate,
Bhaktavatchalam,
Avadi, Chennai - 600 054.
2. The Inspector of Police,
CCB, EDF II, Avadi Police Commissionerate,
Avadi,
Chennai - 600 054.
3. The Public Prosecutor,
High Court, Madras.

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