



Crl.O.P.(MD)No.5816 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

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Issac Grand

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District

2. Vanuvamalai

3. Muthukumar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the impugned communication in N.Ref.P2/27780/2560/2024 issued by the 1st respondent and set aside the same and consequently, direct the 1st respondent police to conduct a fresh and fair investigation into the petitioner's complaint dated 18.07.2024 in the light of forgery of petitioner's signature in R.C.Book of Vehicle No.TN 69 M 0361 and other offences committed by the respondents no.2 and 3.

For Petitioner : Mr.V.Rajiv Rufus

For R-1 : Mr.M.Sakthi Kumar

Government Advocate (Crl. Side)



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ORDER

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This Criminal Original Petition has been filed by the petitioner to direct the 1st respondent police to conduct a fresh and fair investigation into the petitioner's complaint dated 18.07.2024 in respect of forgery of petitioner's signature in R.C. Book of Vehicle No. TN 69 M 0361.

2. According to the petitioner, he lodged a complaint dated 18.07.2024 and the same was closed through proceedings No. N.Ref.P2/27780/2560/2024 dated 17.09.2024 by the first respondent and they have not conducted a fair investigation and closed the petition. Therefore, he has filed this petition.

3. The learned Government Advocate (Criminal Side) appearing for the 1st respondent would submit that already the petitioner's complaint dated 18.07.2024 was considered and the same was closed by advising the petitioner to seek appropriate remedy before the Court of law. Once the respondent police closed the complaint, once again the petitioner cannot file a petition and the petitioner has to approach the appropriate forum by filling appropriate application. Therefore, this petition is liable to dismissed.

4. Considering the prayer sought for in this petition, this Court without



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even issuing notice to the respondents no.2 and 3 inclined to pass orders.

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5. According to the petitioner, the 1st respondent without conducting a proper enquiry has closed his complaint through an Order dated 17.09.2024 and now he is challenging the said order. Once the respondent police closed the complaint, then it is for the petitioner to take appropriate steps before the concerned Magistrate by way private complaint or by filing appropriate application in accordance with law. Therefore, the petitioner is at liberty to approach the concerned Magistrate to file appropriate application to seek appropriate remedy. In view of the same, this criminal original petition is closed.

28.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Mac

To

1. The Inspector of Police,
Vellichanthai Police Station,
Kanyakumari District

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

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