



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Crl.O.P.No.2486 of 2022

S.Mahesh

... Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore City, Huzur Road,
Uppilipalayam, Coimbatore 641 108.

2.The Inspector of Police,
District Crime Branch,
Coimbatore.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents police to register a case on the basis of the complaint given by the petitioner dated 15.11.2021 and vide CSR No.166 of 2021 against the accused and investigate into the matter in accordance with law.

For Petitioner : M/S.K.Sahithya

For Respondents: Mr.A.Gokulakrishnan,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondents police to register a case on the basis of the complaint given by the petitioner dated 15.11.2021 and vide CSR No.166 of 2021 against the accused and investigate into the matter in accordance with law.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in CSR No.166 of 2021 and the same has been closed on 16.11.2021.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. In such view of the matter, liberty is given to the petitioner to workout his remedy as per law. The Division Bench



of this Court in G.Prabhakaran v. The Superintendent of Police, Thanjavur, reported in (2018) 2 LW CrI 489 and the Hon'ble Supreme Court in its latest judgment rendered by a three Judge Bench in M.Subramaniam v. S.Janaki, reported in (2020) 5 CTC 464, after relying upon Sakiri Vasu's Case, has categorically held that the High Court cannot issue any direction for registration of FIR. High Court can intervene only in extraordinary circumstances and rare cases. It is for the petitioner to pursue his right as per Code.

5. With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

shk/nr

To

- 1.The Commissioner of Police,
Coimbatore City, Huzur Road,
Uppilipalayam, Coimbatore 641 108.
- 2.The Inspector of Police,
District Crime Branch,
Coimbatore.
- 3.The Public Prosecutor,
High Court of Madras, Chennai.

CrI.O.P.No.2486 of 2022

PL(CO)
SB(27/06/2022)