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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.1428 OF 2022

A.Velayutham

...Petitioner

Vs.

1.The State Rep. by
The Inspector of Police,
Thiruvanmiyur Police Station,
Chennai - 600 041.

2.The Assistant Commissioner of Police,
Thiruvanmiyur Police Station,
Chennai - 600 041.

...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent herein to register an FIR on the complaint given by the petitioner herein on 03.09.2020 and investigate the same.

For Petitioner : Mr.R.Agilesh

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

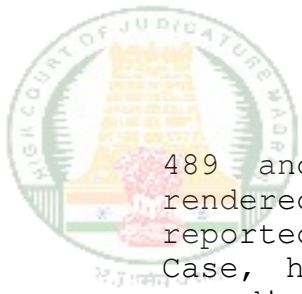
O R D E R

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent herein to register an FIR on the complaint given by the petitioner herein on 03.09.2020 and investigate the same.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in C.S.R.No.774/2020 dated 22.12.2020 and the same has been closed on 24.12.2020.

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

4. The Division Bench of this Court in G.Prabhakaran v. The Superintendent of Police, Thanjavur, reported in (2018) 2 LW Cr1



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-IV)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
Thiruvanmiyur Police Station,
Chennai - 600 041.
- 2.The Assistant Commissioner of Police,
Thiruvanmiyur Police Station,
Chennai - 600 041.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.R.Sankarappan, Advocate, Sr.No.34973

+1cc to Mr.R.Agilesh, Advocate, Sr.No.35295

Cr1.O.P.No.1428 of 2022

SMI (CO)
RVM(29/06/2022)