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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.2931 of 2022

Manikandaprabhu

... Petitioner

Vs.

The Sub Inspector of Police,
Nandambakkam Police Station,
No.3, Mount Poonamallee High Road,
IDPL Colony, Tulasingapuram,
Nandambakkam, Chennai - 600 089

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to investigate and register FIR on the basis of the complaint dated 15.12.2021 lodged by the petitioner and take necessary action in accordance with law.

For Petitioner : Mr.V.Samuthira Vijayan

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

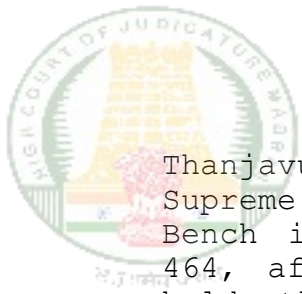
O R D E R

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to investigate and register FIR on the basis of the complaint dated 15.12.2021 lodged by the petitioner and take necessary action in accordance with law.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in C.S.R.No.276/2021 dated 23.12.2021 and the same has been closed on 07.01.2022.

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-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Inspector of Police,
Nandambakkam Police Station,
No.3, Mount Poonamallee High Road,
IDPL Colony, Tulasisingapuram,
Nandambakkam, Chennai - 600 089
2. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.V.Samuthira Vijayan, Advocate, S.R.No.34942

CrI.O.P.No.2931 of 2022

SKM(CO)
UMA(06/07/2022)