



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.2235 OF 2022

AND

CRL.M.P.NO.2061 OF 2022

R.Periyasamy

...Petitioner

Vs.

- 1.The Commissioner of Police,
Greater Chennai Corporation,
Office of the Commissioner of Police,
Veppery, Chennai 600 007.
- 2.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Mylapore, Chennai.
- 3.The Inspector of Police,
Abiramapuram Police Station,
Raja Annamalaipuram,
Chennai 600 028.

...Respondents

PRAYER : This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents herein to register the case on the petitioner's complaint dated 29.07.2021 and to investigate the same in accordance with law.

For Petitioner : Mr.M.Guruprasad

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 herein to register the case on the petitioner's complaint dated 29.07.2021 and to investigate the same in accordance with law.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in C.No.713/COP/VISITORS/2021 and the same has been closed on 10.08.2021.



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 intrevene 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. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

shk/nr

To

- 1.The Commissioner of Police,
Greater Chennai Corporation,
Office of the Commissioner of Police,
Veppery, Chennai 600 007.
- 2.The Deputy Commissioner of Police,
Office of the Deputy Commissioner of Police,
Mylapore, Chennai.
- 3.The Inspector of Police,
Abiramapuram Police Station,
Raja Annamalaipuram, Chennai 600 028.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.M.Guruprasad, Advocate Sr.No.36228

+1cc to Mr.K.Thilageswaran, Advocate Sr.No.35411

CrI.O.P.No.2235 of 2022 and
CrI.M.P.No.2061 of 2022

SKM(CO)
RVM(24/06/2022)