



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.3859 OF 2022

Sumathi

... Petitioner

Vs.

The State Rep by
The Inspector of Police,
Poonamallee Police Station,
Chennai-600 056.

... Respondent

Prayer:

Criminal Original Petition is filed under Section 482 Cr.P.C., pleaded to issue a direction directing the Respondent herein to register the case of the Petitioner's complaint dated 09.12.2021 on the file of the Respondent Police under appropriate penal provisions of law and thus render justice.

For Petitioner : Mr.N.Desinghu
For Respondent : Mr.N.Muthuvel
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petition has been filed seeking to direct the respondent to register the case, on the basis of the petitioner's complaint dated 09.12.2021.

2. Mr.N.Muthuvel, learned Government Advocate (Crl.Side) submitted that the enquiry has been conducted in C.S.R.No.1825 of 2021 and the same has been closed on 12.12.2021.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

4. 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 her right as per Code.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ham/rgi

To

1. The Inspector of Police,
Poonamallee Police Station,
Chennai-600 056.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.N.Desinghu, Advocate, S.R.No.36649

Cr1.O.P.No.3859 of 2022

SKM(CO)
PM/27/06/2022