



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.4216 OF 2022

M.Ulaganathan

...Petitioner

Vs.

State rep. by
The Inspector of Police,
J9 Thoraipakkam Police Station,
Old Mahabalipuram Road,
Chennai 600 097.

...Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent herein i.e the Inspector of Police, J9 Thoraipakkam Police Station, Chennai, to register the complaint dated 01.02.2022 lodged by the petitioner.

For Petitioner : Mr.G.Saravanakumar

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

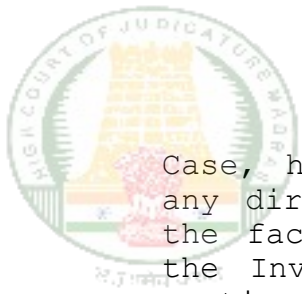
O R D E R

This Criminal Original Petition has been filed to direct the respondent herein i.e the Inspector of Police, J9 Thoraipakkam Police Station, Chennai, to register the complaint dated 01.02.2022 lodged by the petitioner.

2. When the matter is taken up for hearing, learned Additional Public Prosecutor on instructions submitted that the case has been transferred to Taramani Police Station on point of jurisdiction.

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

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. However, taking note of the fact that the complaint is pending and not been enquired, the Investigation Officer is directed to issue notice to the parties and conduct enquiry as directed by the Hon'ble Apex Court in the case of Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]. If any cognizable offence is made out, the respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from today.

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

Sd/-

Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

nr/shk

To

1. The Inspector of Police,
J9 Thoraipakkam Police Station,
Old Mahabalipuram Road,
Chennai 600 097.
2. The Inspector of Police,
J13 Taramani Police Station,
Chennai-600 113.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.G.Saravanakumar, Advocate Sr.No.35245

Cr1.O.P.No.4216 of 2022

SV(CO)
RVM(23/06/2022)