



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

CrI.O.P.No.5145 of 2022

1.Divya

2.Venkatesh

... Petitioners

Vs.

The State rep. By
The Commissioner of Police,
132, EVK Sampath Road,
Vepery, Periyamet,
Chennai 600 007.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to register the FIR based on the complaint given by the petitioner on 20.08.2021 within the time stipulated by this Court.

For Petitioners : M/s.Uma Maheswari

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

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent police to register the FIR based on the complaint given by the petitioner on 20.08.2021.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted and closed by the respondent police.

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

shk/nr

To

1. The Commissioner of Police,
132, EVK Sampath Road,
Vepery, Periyamet,
Chennai 600 007.
2. The Public Prosecutor,
High Court of Madras, Chennai.

+lcc to M/s.Uma Maheswari, Advocate, S.R.No.35057

Crl.O.P.No.5145 of 2022

PL(CO)
CT/27/06/2022