



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.4879 OF 2022

S.Arockiyaraj

... Petitioner

Vs.

1. The State of Tamil Nadu
represented by,
The Superintendent of Police,
Myladuthurai District 601 008.

2. The State of Tamil Nadu
represented by,
The Inspector of Police,
Police Station Road,
Gandhi Nagar, Koranadu,
Myladuthurai District - 601 008.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., pleased to direct the second respondent, The Inspector of Police, Myladuthurai, Police Station, Myladuthurai District to register the First Information Report based on the complaint filed by the petitioner dated 07.02.2022 in CSR No.244 of 2022 and conduct expeditious enquiry, pass appropriate orders.

For Petitioner : Mr.V.Rajasekar

For Respondents : Mr.N.Muthuvel
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petition has been filed seeking to direct the second respondent to register the case, based on the petitioner's complaint dated 07.02.2022 and investigate the same.



2. Mr.N.Muthuvel, learned Government Advocate (Crl.Side) submitted that the enquiry has been conducted and the same has been closed on 12.02.2022.

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 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

ham/rgi

To

1. The Superintendent of Police,
Myladuthurai District - 601 008.
2. The Inspector of Police,
Police Station Road,
Gandhi Nagar, Koranadu,
Myladuthurai District - 601 008.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.N.Mahendra Babu, Advocate, S.R.No.35615

Crl.O.P.No.4879 of 2022

SKM(CO)
RLP(27/06/2022)