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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.5846 OF 2022

Kembiran

...Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Erode - 638 001.

2.The Sub Inspector of Police,
Bargur Police Station,
Bargur, Anthiyur,TK,
Erode.

...Respondents

PRAYER : This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to register an FIR against the Accused on the basis of the complaint made by the petitioner on 31.01.2022 in CSR.No.2/2022.

For Petitioner : Mr.P.K.Harinath Babu

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

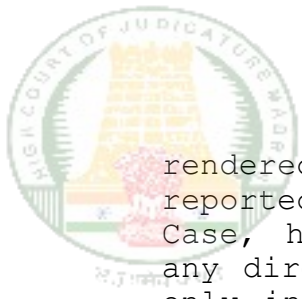
O R D E R

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to register an FIR against the Accused on the basis of the complaint made by the petitioner on 31.01.2022 in CSR.No.2/2022.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in C.S.R.No.2/2022 and the same has been closed on 02.02.2022.

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

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. 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(CCC)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Erode - 638 001.
- 2.The Sub Inspector of Police,
Bargur Police Station,
Bargur, Anthiyur,TK,
Erode.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to M/s.V.Balamurugane, Advocate, Sr.No.36147

Cr1.O.P.No.5846 of 2022

PL(CO)
RVM(28/06/2022)