



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.6725 OF 2022

Sathiyakumar

... Petitioner

Vs.

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2. The Inspector of Police,
Harur Police Station,
Dharmapuri District.

... Respondents

PRAYER:

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent to register the FIR based on the complaint of the petitioner dated 25.08.2021 and to file a final report within a stipulated time.

For Petitioner : Mr.C.Prabakaran

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 2nd respondent to register the FIR based on the complaint of the petitioner dated 25.08.2021 and to file a final report within a stipulated time.

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

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



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

//True Copy//

Sub Assistant Registrar

rap

To

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
Harur Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.35637

Cr1.O.P.No.6725 of 2022

PMK(CO)
PM/28/06/2022