



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.7822 OF 2022

A.Esakkiammal

... Petitioner

Vs.

The Inspector of Police, (Crime)
Tambaram,
Chennai - 600 045.

... 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 dated 02.02.2022 given by petitioner in person and through RPAD to the Commissioner of Police, Tambaram, which was forwarded to the respondent herein.

For Petitioner : Mr.V.Jayaprakash

For Respondents : 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 respondent police to register the FIR based on the complaint dated 02.02.2022 given by petitioner in person and through RPAD to the Commissioner of Police, Tambaram, which was forwarded to the respondent herein.

2. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted in C.No.11/DCTBM/COP/Tapal/2022 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 Inspector of Police, (Crime)
Tambaram,
Chennai - 600 045.
2. The Public Prosecutor,
High Court of Madras, Chennai.

Cr1.O.P.No.7822 of 2022

PMK (CO)
PM/28/06/2022