



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.8724 OF 2022

Central Bank of India,
Regional Office,
Coimbatore, Represented by it's
Senior Regional Manager
Unnikrishnan P.V.

... Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District.
2. The Superintendent of Police,
Economic Offence Wing (EOW),
Ammapalayam, Salem - 636302.

... Respondents

Prayer:

This Criminal Original Petition filed under Section 482 Cr.P.C., pleased to direct the 2nd respondent to register the complaint dated 03.09.2021 and investigate into the matter within a time frame.

For Petitioner :	Mr.M.L.Ganesh
For R1 & R2 :	Mr.N.Muthuvel
	Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to register the complaint dated 03.09.2021 and investigate into the matter within a time frame.

2. Mr.N.Muthuvel, learned Government Advocate (Crl. Side) appearing for the respondents submitted that based on the complaint given by the petitioner, enquiry has been conducted and the same is pending.



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. However, taking note of the fact that the complaint is now pending and not been enquired, the Investigation officer is directed to issue notice to the parties and conduct enquiry as directed by the Hon'ble Apex Court in the case of Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]. If any cognizable offence is made out, the respondent police is bound to register the FIR otherwise they may close the complaint. Such exercise shall be completed within a period of two weeks from today.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rgi/ham

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Superintendent of Police,
Economic Offence Wing (EOW),
Ammapalayam, Salem - 636302.
3. The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.8724 of 2022

VGII (CO)
PM/28/06/2022