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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.9329 OF 2022

R.Manoharan

...Petitioner

Vs.

1.The Commissioner of Police,
Commissioner Office, Avadi,
Chennai 600054.

2.The Deputy Commissioner of Police,
Madhavaram Range,
Madhavaram,
Chennai 600051.

3.The Inspector of Police - Crime,
M-7 Manali New Town Police Station,
Manali New Town,
Chennai 600103.

...Respondents

Prayer : This Criminal Original Petition filed under Section 482 Cr.P.C., pleaded to direct the 3rd respondent to register a case on the petitioner's complaint dated 05.02.2022 under appropriate Penal provisions against the above named persons and thus render justice.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.N.Muthuvel
R1 to R3 Government Advocate
(Crl.Side)

O R D E R

The Criminal Original Petition has been filed seeking to direct the third respondent to register the case, on the basis of the petitioner's complaint dated 05.02.2022.

2. Mr.N.Muthuvel, learned Government Advocate (Crl.Side) submitted that the enquiry has been conducted in C.No.248/DCB/Avadi/PGI(3)/2022 and the same has been closed.



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 Commissioner of Police,
Commissioner Office, Avadi,
Chennai 600054.
- 2.The Deputy Commissioner of Police,
Madhavaram Range,
Madhavaram,
Chennai 600051.
- 3.The Inspector of Police - Crime,
M-7 Manali New Town Police Station,
Manali New Town,
Chennai 600103.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.9329 of 2022

SKM(CO)
RVM(06/07/2022)