



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2022

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.9702 of 2022

K.Rani

... Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai Police,
Veppery, Chennai 600 007.

2.The Inspector of Police,
CCIW, CIB,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to register the case of the petitioner's complaint dated 22.05.2021 on the file of the second respondent police.

For Petitioner : Mr.J.Pradeep

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register the case of the petitioner's complaint dated 22.05.2021 on the file of the second respondent police.

2. When the matter is taken up for hearing, learned Additional Public Prosecutor on instructions submitted that the case has been transferred to concern CCB on point of jurisdiction.

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

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 intrevene only in extraordinary circumstances and rare cases. However, taking note of the fact that the complaint is now transferred and 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 direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

shk/nr

To

1. The Commissioner of Police,
Greater Chennai Police,
Veppery, Chennai 600 007.
2. The Inspector of Police,
CCIW, CIB, Chennai.
3. The Inspector of Police,
CCB, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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NR (CO)

PR (04/07/2022)