



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.10243 OF 2022

Gomathy @ Anitha

... Petitioner

Vs.

State by,
The Inspector of Police,
AWPS,
St. Thomas Mount Police Station,
Chennai.

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., pleased to direct the respondent police to register FIR on the basis of the petitioner complaint dated 11.09.2021 vide C.S.R.No.111 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.M.Jaikumar

For Respondent : Mr.N.Muthuvel
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking for a direction to the second respondent police to register the FIR, based on the petitioner's complaint dated 11.09.2021 vide C.S.R.No.111 of 2021.

2. Mr.N.Muthuvel, learned Government Advocate (Crl.Side) submitted that the enquiry has been conducted in C.S.R.No.111 of 2021 and the same has been closed.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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 her right as per Code.

5. With the above direction, this Criminal Original Petition stands closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ham/rgi

To

1. The Inspector of Police,
AWPS,
St. Thomas Mount Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Jaikumar, Advocate, S.R.No.35865

Cr1.O.P.No.10243 of 2022

SKM(CO)
RLP(27/06/2022)