



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21/6/2022

C O R A M

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.10064 of 2022

Matilda

... Petitioner

Vs

1. The State of Tamil Nadu
rep. By The Commissioner of Police
Tambaram
Chennai.

2. The Inspector of Police
S 10 Pallikaranai Police Station
Chennai 100.

3. Sarath Balaji

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry.

For Petitioner ... Mr.Charles Kamalesh M. Appaji

For Respondents ... Mr.A.Gokulakrishnan,
Additional Public Prosecutor.
For R.1 and 2.

O R D E R

This Criminal Original Petition has been filed to direct the respondents 1 and 2 not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 and 2.

3. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor submitted that the enquiry has been conducted and the same has been closed.



4. Recording the submission of the learned Additional Public Prosecutor, this Criminal Original Petition is closed. Liberty is granted to the petitioner to workout his remedy as per law. 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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Commissioner of Police
Tambaram
Chennai.
2. The Inspector of Police
S 10 Pallikaranai Police Station
Chennai 100.
3. The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.Charles Kamalesh M. Appaji, Advocate, S.R.No.37926

CrI.O.P.No.10064 of 2022

GPL (CO)
CT/01/07/2022