



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Crl. O.P. No.10453 of 2022

J. Deepika

... Petitioner

Vs

1. The Commissioner of Police
O/o The Commissioner of Police
Greater Chennai City Police
No.132 E.V.K.Sampath Road
Vepery, Periyamet
Chennai 600 007.

2. State
rep by The Inspector of Police
R 5 Virugambakkam Police Station
Chennai 600 093.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register a case based upon the petitioner's complaint dated 27/10/2021.

For Petitioner ... Mr.M.G.Ramachandran

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

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register a case based upon the petitioner's complaint dated 27/10/2021.

2. The main allegation of the petitioner is that the respondents Police have not taken any valuable action on her complaint dated 27/10/2021.

3. Heard Mr.M.G.Ramachandran, learned counsel for the petitioner and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondents.

4. Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondent would submit that based on the



complaint given by the petitioner, enquiry has been conducted and the same is pending on the file of the second respondent police.

5. 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.

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

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Commissioner of Police
O/o The Commissioner of Police
Greater Chennai City Police
No.132 E.V.K.Sampath Road
Vepery, Periyamet
Chennai 600 007.
2. The Inspector of Police
R 5 Virugambakkam Police Station
Chennai 600 093.
3. The Public Prosecutor,
High Court, Madras.

CrI. O.P. No.10453 of 2022

SSI(CO)
SB(05/07/2022)