



WEB COPY



Crl.O.P.No.15210 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.15210 of 2022

Pandiarajan

... Petitioner

Vs.

State by:

The Inspector of Police,
C-3, Manimangalam Police Station
Kancheepuram & District.

..Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C praying to direct the respondent to register an FIR on the basis of the petitioner's complaint dated 17.09.2021, investigate the same and proceed with the same as per law in compliance with the direction dated 16.02.2022 issued by the learned Judicial Magistrate II, Tambaram in C.M.P.No.400 of 2022.

For Petitioner

: Mr.M.Marimahesh

For Respondents

: Mr.A.Gokulakrishnan
Additional Public Prosecutor



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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 three weeks from today.

6. With the above direction, this Criminal Original Petition stands disposed of.

04.07.2022

Speaking Order/Non-speaking Order

Index :Yes/No

Internet:Yes/No

shk/nr

N. SATHISH KUMAR,J.



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To

- 1.The Inspector of Police,
C-3, Manimangalam Police Station
Kancheepuram & District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

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04.07.2022