



Crl.O.P.No.29915 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29915 of 2022

Shruthi Thilak

... Petitioner

Vs.

1.State Rep. By its
Inspector of Police,
All Women Police Station,
Salem – 636 003.

2.The Commissioner of Police,
Salem – 636 003.

3.The Superintendent of Police,
Central Crime Branch,
Salem – 636 001.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in C.S.R.No.475 of 2022 and to issue direction to register the F.I.R on the basis of complaint dated 28.09.2022 acknowledged vide C.S.R.No.475 of 2022 on the file of the 1st respondent and to transfer the same to the third respondent and proceed with the investigation and to file final report.

For Petitioner : Mr.G.Krishnamurthy



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For Respondents : Mr.S.Santhosh
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed to to call for the records in C.S.R.No.475 of 2022 and to issue direction to register the F.I.R on the basis of complaint dated 28.09.2022 acknowledged vide C.S.R.No.475 of 2022 on the file of the 1st respondent and to transfer the same to the third respondent and proceed with the investigation and to file final report.

2.The learned Government Advocate (Criminal side) submitted that on the basis of the complaint given by the petitioner enquiry is pending in C.S.No.475 of 2022 and he prays time for completion of enquiry and for filing report.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondents.

4. The Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur***, reported in ***(2018) 2 LW Crl 489*** and the



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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.

5.In view of the fact that enquiry is pending, it is directed that 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 directions, this Criminal Original Petition is disposed of.

05.12.2022

Index: Yes/No
Speaking/Non speaking order

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G.CHANDRASEKHARAN.J.,

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To

- 1.State Rep. By its
Inspector of Police,
All Women Police Station,
Salem – 636 003.
- 2.The Commissioner of Police,
Salem – 636 003.
- 3.The Superintendent of Police,
Central Crime Branch,
Salem – 636 001.
4. The Public Prosecutor,
High Court of Madras.

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05.12.2022