



CrI.O.P.No.30253 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.O.P.No.30253 of 2022

V.Sudha

... Petitioner

Vs.

1.The Superintendent of Police,
Coimbatore District.

2.State Represented by
The Inspector of Police,
Periyannayakanpalayam Police Station,
Kupichipalayam Road,
Periyannayakanpalayam,
Coimbatore.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue direction, directing the respondent/Police to register the FIR of the petitioner complaint dated 09.11.2022.

For Petitioner : Mr.J.Franklin

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



Crl.O.P.No.30253 of 2022

ORDER

WEB COPY

This Criminal Original Petition has been filed to direct the respondent/Police to register the FIR of the petitioner complaint dated 09.11.2022

2. When the matter is taken up, the learned Government Advocate (Criminal side) submitted that on the basis of the complaint given by the petitioner, enquiry in C.S.R.No.633 of 2022 is pending 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 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



CrI.O.P.No.30253 of 2022

extraordinary circumstances and rare cases.

WEB COPY

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 two weeks from the date of receipt of a copy of this order.

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

07.12.2022

Index:Yes/No

Speaking/Non speaking order

ep

To

1.The Superintendent of Police,
Coimbatore District.

2.State Represented by
The Inspector of Police,
Periyanayakanpalayam Police Station,
Kupichipalayam Road,
Periyanayakanpalayam,
Coimbatore.



CrI.O.P.No.30253 of 2022

3. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.30253 of 2022

G.CHANDRASEKHARAN.J.,

ep

Crl.O.P.No.30253 of 2022



WEB COPY



CrI.O.P.No.30253 of 2022

07.12.2022