



CrI.O.P.No.30250 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.30250 of 2022

S.Paneerselvam

... Petitioner

Vs.

1.The Commissioner of Police,
Avadi Police Commissionerate
Avadi, Chennai – 600 054.

2.The Station House Officer,
Manali Police Station,
Red Hills Police District,
Chennai – 600 051

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to file First Information Report on the complaint filed by the petitioner in CSR.No.343 of 2022 dated 14.10.2022 on the file of the Manali Police Station, Red Hills Police District within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Sridharan

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



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ORDER

This Criminal Original Petition has been filed to direct the respondents to file First Information Report on the complaint filed by the petitioner in CSR.No.343 of 2022 dated 14.10.2022 on the file of the Manali Police Station, Red Hills Police District within the time frame as may be fixed by this Court.

2.The learned Government Advocate (Criminal side) submitted that on the basis of the complaint given by the petitioner enquiry in C.S.R.No.343 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 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



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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 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

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G.CHANDRASEKHARAN.J.,

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To

- 1.The Commissioner of Police,
Avadi Police Commissionerate
Avadi, Chennai – 600 054.
- 2.The Station House Officer,
Manali Police Station,
Red Hills Police District,
Chennai – 600 051
- 3.The Public Prosecutor,
High Court of Madras.

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