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CRL OP No. 22790 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22790 of 2025

1. Rachana Golcha

W/o.Rajendran Kumar Golcha @ Raaj
Golcha,

2. Rajendran Kumar Golcha @ Raaj
Golcha

S/o.Late.Uttam Chand Golcha, Both are
residing at No.34, 2nd Floor 3rd Street,
4th Cross Extention, Rainbow Nagar,
Puducherry-605 011.

Petitioner(s)

Vs

1. The Superintendent of Police
CBCID, Puducherry.

2. Inspector of Police,
CBCID, Police Station, Orleanpet,
Puducherry.

Respondent(s)

PRAYER: Petition filed under Section 528 of BNSS, to direct the 2nd respondent herein to investigate and to register the FIR based on the complaint dated 25.09.2024 and to file final report before this Hon'ble Court.



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For Petitioner(s): M/s.L.Poompavai
V.P.Chamuraj

For Respondent(s): Mr.R.Vinoth Raja
Govt. Advocate (Crl.Side)

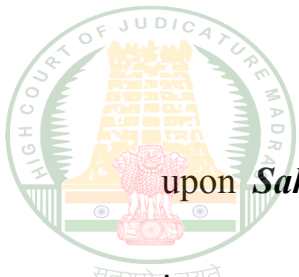
ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent herein to investigate and to register the FIR based on the complaint dated 25.09.2024 and to file a final report before this Hon'ble Court.

2. The learned Government Advocate (Crl.Side) for the respondents 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.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.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



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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 the date of receipt of a copy of this order.

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

18-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The Superintendent of Police
CBCID, Puducherry.

2.Inspector of Police,
CBCID, Police Station, Orleanpet, Puducherry.

3.The Public Prosecutor,
High Court of Madras.

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N.SATHISH KUMAR J.
gsk

CrI.O.P.No.22790 of 2025

18.08.2025