

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.338 of 2021

Ms. M.Bhagyasri

.. Petitioner

.vs.

1. The State, represented by
the Deputy Commissioner of Police
St. Thomas Mount, Guindy,
Chennai.

2. The Inspector of All Women
Police,
J-3, All Women Police Station,
Guindy, Chennai 600 032.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register a case based on the complaint given by the petitioner dated 16.09.2020.

For Petitioner : Mr.K.Jayakumar

For Respondents : Mr.M.Mohamed Riyaz,
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the FIR based on the complaint dated 16.09.2020 of the petitioner.

2.Heard the learned counsel for the petitioner and the learned Addl. Public Prosecutor appearing on behalf of the respondents.

N. ANAND VENKATESH,, J.

msr

3.This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in ***G.Prabhakaran v. The Superintendent of Police, Thanjavur*** reported in ***(2018) 2 LW Crl 489***. 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*** Case, has categorically held that the High Court cannot issue any direction for registration of FIR in exercise of its jurisdiction under Section 482 of Cr.P.C. The Hon'ble Supreme Court held that the informant has to necessarily avail of the alternative remedy provided under Section 154 (3) of Cr.P.C., and Section 156 (3) of Cr.P.C. Liberty is given to the petitioner to workout his remedy as per the directions issued by the Division Bench in the order referred supra.

4. This Criminal Original Petition is disposed of accordingly.

11.01.2021

Index : Yes/No

Internet : Yes/No

msr

To

1.The Deputy Commissioner of Police

St. Thomas Mount, Guindy,
Chennai.

2.The Inspector of All Women Police,

J-3, All Women Police Station,
Guindy, Chennai 600 032.

3.The Public Prosecutor, High Court of Madras.

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