

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.700 of 2021

Selva Kumaraswamy

... Petitioner

Vs.

The Inspector of Police,
T-14, Mangadu Police Station,
Plot NO.2, Mangadu,
Chennai 600 122.

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register a case based upon the petitioner's complaint dated 16.03.2020 bearing CSR.No.433 of 2020.

For Petitioner : Mr.M.Madhu Prakash

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

सत्यमेव जयते

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner's complaint dated 16.03.2020.

2.Heard the learned counsel for the petitioner and the learned

Additional Public Prosecutor appearing on behalf of the respondents.

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.

This Criminal Original Petition is disposed of accordingly.

21.01.2021

Speaking Order/Non-speaking Order

Index :Yes/No

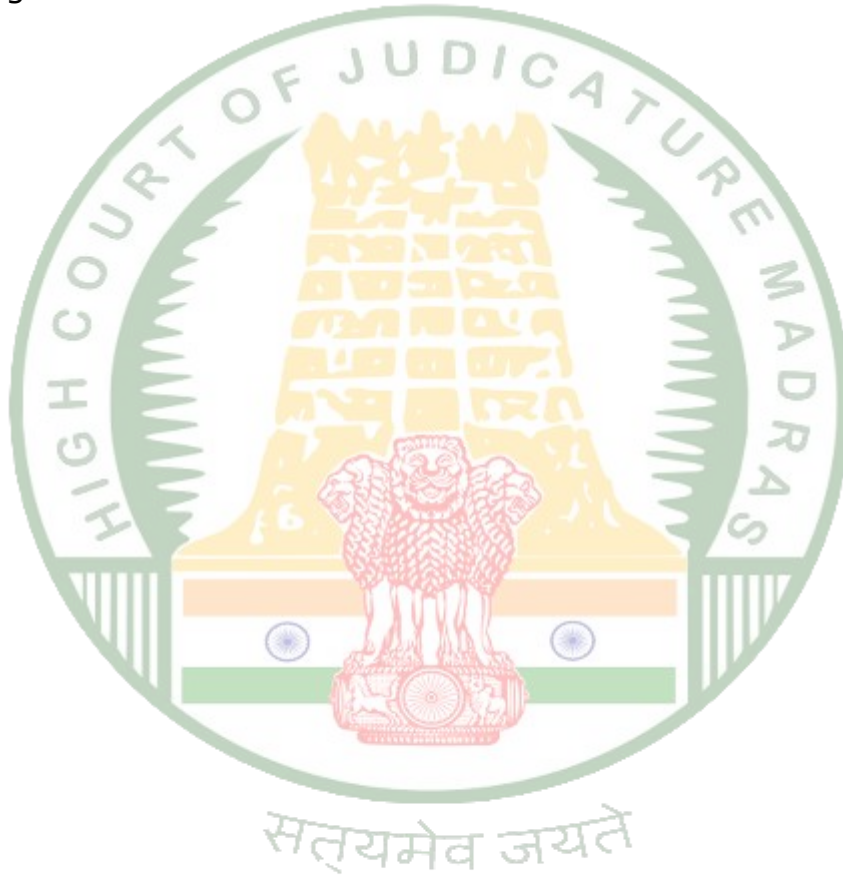
Internet:Yes/No

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To

1.The Inspector of Police,
T-14, Mangadu Police Station,
Plot NO.2, Mangadu,

2.The Public Prosecutor,
Madras High Court.

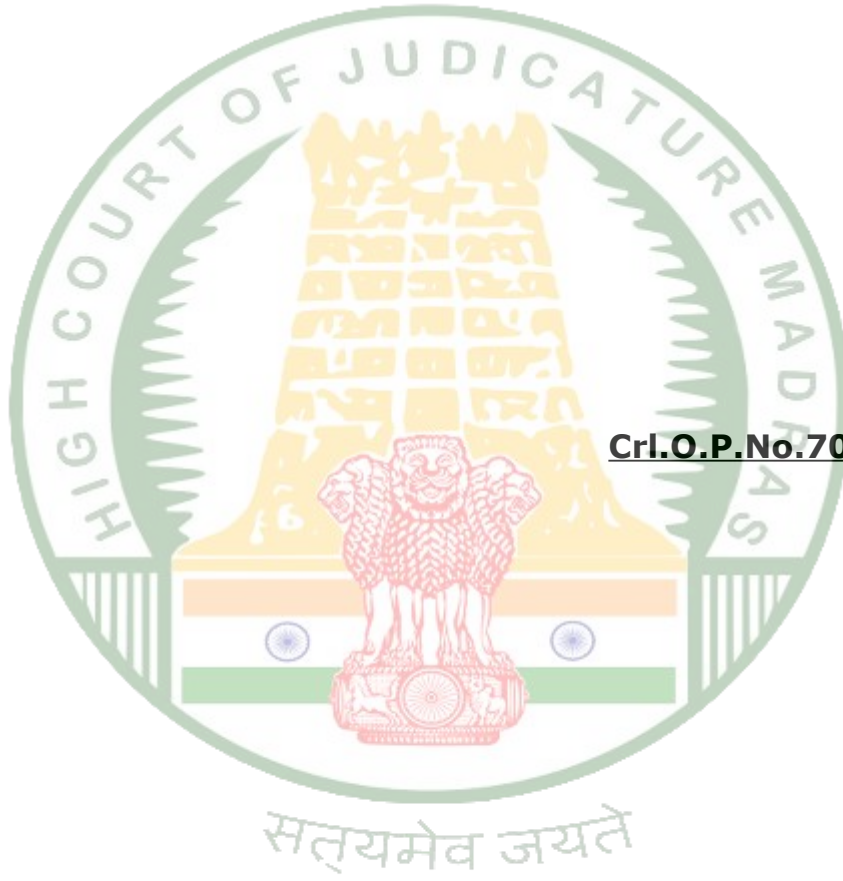


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N.ANAND VENKATESH,J.

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