

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 08.02.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2050 of 2021

Rev. R.Sathyaraj

.. Petitioner

Vs.

1. The Commissioner of Police,
Coimbatore City Police,
Coimbatore.

2. The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore City Police,
Coimbatore-18.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register the FIR in respect of CSR No.237 of 2020 dated 16.12.2020 on the file of the second respondent and to proceed in accordance with law.

For Petitioner : Mr.A.Immanuel

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 16.12.2020, pending on the file of the second respondent Police.

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 CrI 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.

Sd/-
Asst.Registrar (CS VII)

/true copy/
Sub Asst. Registrar

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To

1. The Commissioner of Police,
Coimbatore City Police,
Coimbatore.

2. The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore City Police,
Coimbatore-18.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.A.Immanuel Advocate sr6769

Cr1.O.P.No.2050 of 2021

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