

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No. 937 of 2021

R.Mohan

.. Petitioner

Vs

State Rep. By

The Inspector of Police,  
P-4, Basin Bridge Police Station,  
Demollows Road, K.P.Park,  
Pulianthope,  
Chennai - 600 012.

.. Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure to direct the respondent herein to register the FIR based on the complaint dated 06.12.2020 vide CSR No. 331/2020.

For Petitioner :Mr.R.Ramesh

For Respondent :Mr.Mohammed Riyaz  
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent herein to register the FIR based on the complaint dated 06.12.2020 vide CSR No. 331/2020.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent.

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.

Sd/-  
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ssr

To

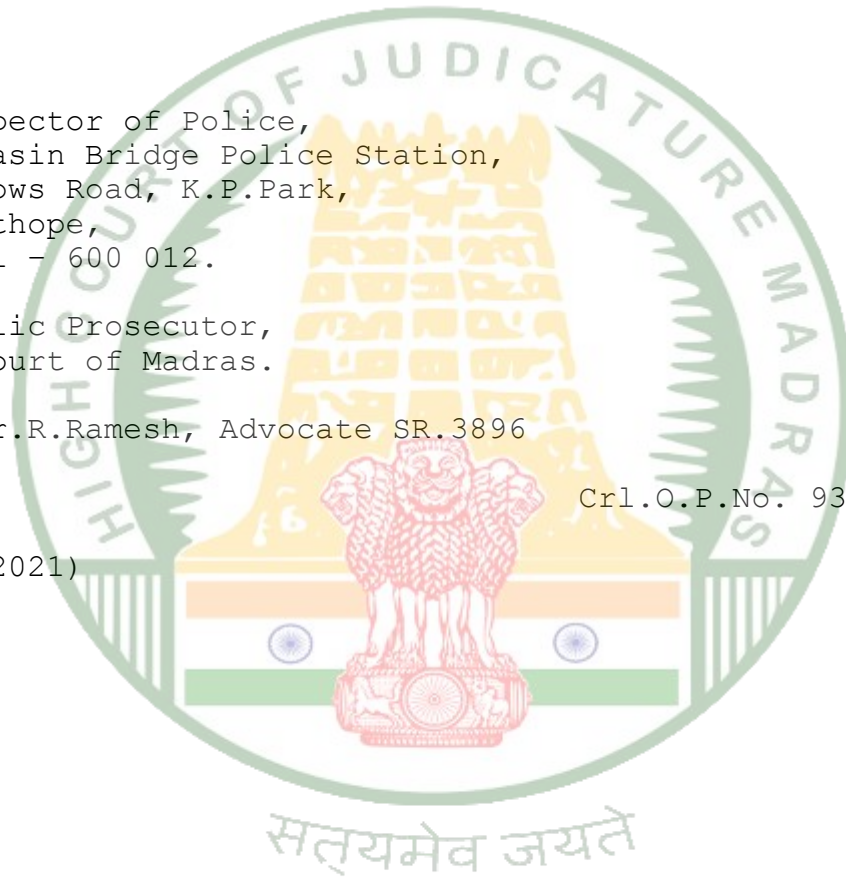
1.The Inspector of Police,  
P-4, Basin Bridge Police Station,  
Demollows Road, K.P.Park,  
Pulianthope,  
Chennai - 600 012.

2.The Public Prosecutor,  
High Court of Madras.

+1cc to Mr.R.Ramesh, Advocate SR.3896

SSI(CO)  
CB(22/02/2021)

Cr1.O.P.No. 937 of 2021



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