

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. 950 of 2021

R.Prabakaran

.. Petitioner

Vs

1.The Superintendent of Police,
Namakkal District,
Namakkal.

2.The Inspector of Police,
District Crime Branch,
Namakkal District,
Namakkal.

.. Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure to direct the respondent to register the complaint of the petitioner dated 26.10.2020.

For Petitioner :Mr.K.S.Karthik Raja

For Respondents :Mr.Mohammed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the complaint of the petitioner dated 26.10.2020.

2.Heard the learned counsel for the petitioner and the learned Government Advocate 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 Cr1 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 (C.S.II)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Namakkal District,
Namakkal.

2.The Inspector of Police,
District Crime Branch,
Namakkal District,
Namakkal.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.K.S.Karthik Raja, Advocate SR.NO.4373

AKM/19.02.21/ 2P-5C/

सत्यमेव जयते

Cr1.O.P.No. 950 of 2021
25.01.2021

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