

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 12.02.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2509 of 2021

S.Gulzar Begum

.. Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District.

2. The Inspector of Police,
Tindivanam Taluk Town Police Station,
Tindivanam Taluk,
Villupuram District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue appropriate direction to the respondents to register a first information report on the basis of the complaint dated 27.01.2020 given by the petitioner and to proceed further in accordance with law.

For Petitioner : Mr.S.Madhar Khan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to issue appropriate direction to the respondents to register a first information report on the basis of the complaint dated 27.01.2020 given by the petitioner and to proceed further in accordance with law.

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Superintendent of Police,
Villupuram District.
2. The Inspector of Police,
Tindivanam Taluk Town Police Station,
Tindivanam Taluk,
Villupuram District.
- 3.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.Madhar Khan, Advocate SR.No. 8015
Cr1.O.P.No.2509 of 2021

A.SK(10.03.2021)

सत्यमेव जयते
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