

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.1492 of 2021

Samunnati Financial Intermediation and Services Pvt Ltd
Rep.By Its Senior Manager Mr.D.Vijayakarathi
Having Office at Baid Hi Tech Park ,
8th Floor No. 129B East Coast Road,
Thiruvanmiyur, Chennai - 600 041. Petitioner

Vs.

The Inspector of Police
Central Crime Branch, Team-3
Greater Corporation,
Chennai-600 007. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent herein to Register the complaint dated 19.11.2020 filed by the petitioner, on the file of the Inspector of police, Central Crime Branch, Team-3, Chennai.

For Petitioner : M/s.Nithyaesh Natraj

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

सत्यमेव जयते
O R D E R

This petition has been filed to direct the respondent herein to Register the complaint dated 19.11.2020 filed by the petitioner, on the file of the Inspector of police, Central Crime Branch, Team-3, Chennai.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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

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(CS III)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,
Central Crime Branch, Team-3,
Greater Corporation,
Chennai-600 007.

2.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

CrI.O.P.No.1492 of 2021

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