

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.3471 of 2021

Mrs.Chandrakala Ganesh

.. Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore Police Head Quarter
No.18, Pudukuppam New Street,
Pudukuppam, Cuddalore,
Tamil Nadu - 607 001.

2. The Inspector of Police,
All Women Police Station,
W Sannadhi Street, Chidambaram - 608 001.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 2nd respondent to register a case based upon the petitioner's complaint dated 18.01.2021.

For Petitioner : Mr.M.Madhuprakash

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 18.01.2021, 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/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Superintendent of Police,
Cuddalore Police Head Quarter
No.18, Pudukuppam New Street,
Pudukuppam, Cuddalore,
Tamil Nadu - 607 001.

2. The Inspector of Police,
All Women Police Station,
W Sannadhi Street, Chidambaram - 608 001.

3. The Public Prosecutor,
High Court, Madras.

A.SK(16.03.2021)

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