

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.02.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3170 of 2021

1. Mr.Robert Lazarus
2. Mrs.Sushila Lazarus .. Petitioners

Vs.

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building
EVK Sampath Road, Vepery,
Periyamet, Chennai - 600 007.
2. The Inspector of Police,
Shankar Nagar Police Station (Crime Branch)
Pammal, Chennai - 600 075. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register the FIR based on the complaint dated 30.07.2020 given by us, against Prabhu Devarajan.

For Petitioners : Mr.U.M.Ravichandran
For Respondents : Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed to direct the 2nd respondent to register the FIR based on the complaint dated 30.07.2020 given by us, against Prabhu Devarajan.

2.Heard the learned counsel for the petitioners 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 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/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building
EVK Sampath Road, Vepery,
Periyamet, Chennai - 600 007.
2. The Inspector of Police,
Shankar Nagar Police Station (Crime Branch)
Pammal, Chennai - 600 075.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.U.M.Ravichandran Advocate sr9433

Cr1.O.P.No.3170 of 2021

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aa17/03/2021