

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.3281 of 2021

M.Subramani

.. Petitioner

Vs.

State of Tamil Nadu
Represented by Inspector of Police,
Taluk Police Station
Vaniyambadi
Tirupattur District
PIN 635 751.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the complaint dated 07.03.2020 vide C.S.R.No.251 of 2020 and file FIR.

For Petitioner : Mr.B.Ram Prasath

For Respondent : Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed to direct the respondent police to register the complaint dated 07.03.2020 vide C.S.R.No.251 of 2020 and file FIR.

2.Heard the learned counsel for the petitioner and the learned Government Advocate 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 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/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

ssr

To

1.The Inspector of Police,
Taluk Police Station
Vaniyambadi
Tirupattur District
PIN 635 751.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.3281 of 2021

GMR (CO)
NRA (09/03/2021)

WEB COPY