

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.02.2021
CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3225 of 2021

D.Pradeep Senthil

... Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai, E.V.R.Salai
Veperi, Chennai - 600 007.

2. The Inspector of Police,
T1- Ambattur Police Station,
Ambatur,
Chennai - 53.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the case on the complaint given by the petitioner pending in dated 29.01.2021 and to investigate the matter accordance with law.

For Petitioner : Mr.B.Shankar

For Respondents : Mr.C.Raghavan
Government Advocate

ORDER

This petition has been filed to direct the respondent police to register the case on the complaint given by the petitioner dated 29.01.2021 and to investigate the matter in accordance with law.

2.Heard the learned counsel for the petitioner 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/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai, E.V.R.Salai
Veperi, Chennai - 600 007.
2. The Inspector of Police,
T1- Ambattur Police Station,
Ambatur,
Chennai - 53.
3. The Public Prosecutor,
High Court, Madras.

+5cc to M/s.B.Shankar, Advocate Sr.No.9440

AKM/10.03.21 /2P-5C/

Cr1.O.P.No.3225 of 2021
18.02.2021

सत्यमेव जयते

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