

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.3163 of 2021

N.Alamelu

.. Petitioner

Vs.

The State Rep. by Inspector of Police,  
C-3, Manimangalam Police Station,  
PIN - 602 301.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register the First Information Report on the complaint dated 09.01.2021, investigate the same and file a final report before the competent court.

For Petitioner : Mr.S.Sai Prabhu

For Respondent : Mr.C.Raghavan  
Government Advocate

O R D E R

This petition has been filed to direct to the respondent to register the First Information Report on the complaint dated 09.01.2021, investigate the same and file a final report before the competent court.

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 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(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Inspector of Police,  
C-3, Manimangalam Police Station,  
PIN - 602 301.
2. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.Saiprabhu, Advocate, S.R.No.9413

CP(CO)  
SM/08/03/2021

सत्यमेव जयते

Cr1.O.P.No.3163 of 2021

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