



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.12971 of 2021

D. Kumaresan

... Petitioner

Versus

1.The Superintendent of Police,
Tiruppattur District,
District Police Office,
Pudupet Road,
Tirupattur -635 601.

2.The Deputy Superintendent of Police
Vaniyambadi Division,
Nari Street, New Town,
Vaniyambadi - 635 751.

3.State of Tamil Nadu
Represented by Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi 635751

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register the petitioner complaint dated 01.03.2020 and vide CSR.No.109/2020 dated 02.03.2020.

For Petitioner : Mr.G.Vetri

For Respondents: Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent police to register the petitioner complaint dated 01.03.2020 and vide CSR.No.109/2020 dated 02.03.2020.

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 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.

4.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(Digit)

//True Copy//

Sub Assistant Registrar

sms/gv
To

- 1.The Superintendent of Police,
Tiruppattur District,
District Police Office,
Pudupet Road,
Tirupattur -635 601.
- 2.The Deputy Superintendent of Police
Vaniyambadi Division,
Nari Street, New Town,
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- 3.State of Tamil Nadu
Represented by Inspector of Police,
Vaniyambadi Town Police Station,
Vaniyambadi 635751
- 4.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.12971 of 2021

VG II(CO)
CB(22/10/2021)