

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 12.02.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.2559 of 2021

D.Anjali

.. Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.

2. The Inspector of Police - Crime,
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai - 600 024.

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register a FIR after carrying out a true and proper investigation on the complaint dated 09.01.2021 or 16.01.2021.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register a FIR after carrying out a true and proper investigation on the complaint dated 09.01.2021 or 16.01.2021.

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai - 600 007.
2. The Inspector of Police - Crime,
R-2, Kodambakkam Police Station,
Kodambakkam,
Chennai - 600 024.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Thanjan , Advocate SR.No. 8154

Cr1.O.P.No.2559 of 2021
A.SK(10.03.2021)

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