

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2134 of 2021

K.Vasanthi

... Petitioner

Vs.

1. The State Rep by
The Superintendent of Police,
O/o the Superintendent of Police,
Erode District, Erode.

2. The State Rep by
Inspector of Police,
Chithode Police Station,
Erode District, Erode.

3. V.Senthilraja ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct to the 1st respondent herein to register the complaint dated 29.09.2020 within a time frame as stipulated by this Court.

For Petitioner : Mr.V.Jai Hari Sudhan

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 & R2

O R D E R

This petition has been filed to direct to the 1st respondent herein to register the complaint dated 29.09.2020 within a time frame as stipulated by this Court.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

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(CO)

//True Copy//

Sub Assistant Registrar

ssr
To

- 1.The Superintendent of Police,
O/o the Superintendent of Police,
Erode District, Erode.
2. The Inspector of Police,
Chithode Police Station,
Erode District, Erode.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.V.Jai Harisudhan, Advocate Sr.6908

CrI.O.P.No.2134 of 2021

vsn II[co]
srg 23/02/2021

WEB COPY