

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2515 of 2021

R.Tamilmani

... Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore,
Cuddalore District.

2. The Deputy Superintendent of Police,
Superintendent Office,
Tittagudi,
Cuddalore District.

3. The Inspector of Police,
Tittagudi Police Station,
Cuddalore District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register complaint on the petitioner's complaint dated on 23.01.2021 and investigate the matter in accordance with the law.

For Petitioner : Mr.K.Karuppaiya Mooppanar

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 complaint on the petitioner's complaint dated on 23.01.2021 and investigate the matter in accordance with the law.

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 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(CS VII)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Superintendent of Police,
Cuddalore, Cuddalore District.
2. The Deputy Superintendent of Police,
Superintendent Office,
Tittagudi,
Cuddalore District.
3. The Inspector of Police,
Tittagudi Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.2515 of 2021

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