

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3020 of 2021

V.Sivasankaran

.. Petitioner

Vs.

1. The Superintendent of Police (East),
Puducherry.

2. The Station House Officer,
Odiansalai Police Station,
Puducherry.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register a First Information Report based on the petitioner's complaint dated 24.07.2020 and pass such further orders as this Court may deem fit in the circumstances of the case and thus render justice.

For Petitioner : Mr.Arun Prasad

For Respondents: Mr.V.Balamurugan,
Additional Public Prosecutor (Puducherry)

O R D E R

This petition has been filed to direct the 2nd respondent a First Information Report based on the petitioner's complaint dated 24.07.2020

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Puducherry) 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 Crl 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

//True Copy//

Sub Assistant Registrar

kal

To

1. The Superintendent of Police (East),
Puducherry.
2. The Station House Officer,
Odiansalai Police Station,
Puducherry.
3. The Public Prosecutor,
Puducherry.

+1cc Mr.K.Arun Prasath, Advocate SR.15992 (CB-22/03/2021)

Cr1.O.P.No.3020 of 2021

RSI (CO)
CB(12/03/2021)

सत्यमेव जयते

WEB COPY