

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

CRL.O.P.NO.4069 OF 2021

N.Santhikumari

..Petitioner

Vs.

1. The Commissioner of Police,
Commissioner of Chennai,
Commissioner Officer, Vepery, Chennai - 9.

2. The Inspector of Police,
D-3, Ice House Police Station,
Triplicane,
Chennai - 5.

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register the case of the petitioner complaint dated 27.12.2020.

For Petitioner : Mr.L.Nandagopalan

For Respondent : Mr.C.Raghavan

Government Advocate

ORDER

This petition has been filed to direct the 2nd respondent to register the case of the petitioner complaint dated 27.12.2020.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent.

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 her 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 III)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Commissioner of Police,
Commissioner of Chennai,
Commissioner Officer, Vepery, Chennai - 9.
2. The Inspector of Police,
D-3, Ice House Police Station,
Triplicane,
Chennai - 5.
3. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.V.Nandagopalan, Advocate, S.R.No.13390

Cr1.O.P.No.4069 of 2021

PMK(CO)
KKV/19/03/2021

सत्यमेव जयते

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