

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

CrI.O.P.No.2561 of 2021

N.V.Srinivasan

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
C-3, Manimangalam Police Station,
Manimangalam,
Kancheepuram District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent herein the Inspector of Police C-3 Manimangalam Police Station, Manimangalam, Kancheepuram District to register the case pertaining to the petitioner complaint dated 06.01.2021, in C.S.R.No.16/2021 in accordance with law.

For Petitioner : M/s.A.Dinakari

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent herein the Inspector of Police C-3 Manimangalam Police Station, Manimangalam, Kancheepuram District to register the case pertaining to the petitioner complaint dated 06.01.2021, in C.S.R.No.16/2021 in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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 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/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ssr

To

1. The Inspector of Police,
C-3, Manimangalam Police Station,
Manimangalam,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.A.Dinakari Advocate sr8509

Cr1.O.P.No.2561 of 2021

br(co)
aa10/03/2021

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