

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.02.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3134 of 2021

Saranya

.. Petitioner/Defacto complainant

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 7.

2. State Rep by
The Inspector of Police,
W-35, All Woman Police Station, Tambaram
St.Thomas Mount, Chennai. .. Respondents /complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the case on the complaint given by the petitioner on 30.12.2020, pending enquiry in CSR No.458/2020 dated 30.12.2020.

For Petitioner : Mr.P.Sundara Rajan

For Respondents : Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed to direct the respondent police to register the case on the complaint given by the petitioner on 30.12.2020, pending enquiry in CSR No.458/2020 dated 30.12.2020.

2.Heard the learned counsel for the petitioner and the learned Government Advocate 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 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/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

ssr

To

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 7.
2. The Inspector of Police,
W-35, All Woman Police Station, Tambaram
St.Thomas Mount, Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.Sundararajan Advocate sr10009

सत्यमेव जयते

Cr1.O.P.No.3134 of 2021

nml(co)
aa08/03/2021

WEB COPY