

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3012 of 2021

Paul Richard

...Petitioner

Versus

1.The Commissioner of Police,
Vepery,
Chennai.

2.The Inspector of Police Station,
Red Hills Police Station,
Chennai.

3.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.

..Respondents

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code to change the investigation in CSR No.566 of 2020 on the file of 2nd Respondent herein to Central Crime Branch, Chennai for appropriate action on the complaint of the Petitioner.

For Petitioner : Mr.G.Muthukumar.
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

ORDER

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 28.11.2020, pending on the file of the third respondents Police.

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 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS.III)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Vepery,
Chennai.

2.The Inspector of Police Station,
Red Hills Police Station,
Chennai.

3.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.

4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.G.Muthukumar, Advocate SR.NO..9431

AKM/17.03.21/ 2P-6 C/

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