

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.02.2021
CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3113 of 2021

Jothimani

.. Petitioner

Vs.

The State rep. by the
The Inspector of Police
All Women Police Station
Bargur
Krishnagiri District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register a case based on the complaint lodged by the petitioner dated 28.01.2021 against the named persons in the complaint.

For Petitioner : Mr.V.Sakkarapani

For Respondent : Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed to direct the respondent to register a case based on the complaint lodged by the petitioner dated 28.01.2021 against the named persons in the complaint.

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 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

To

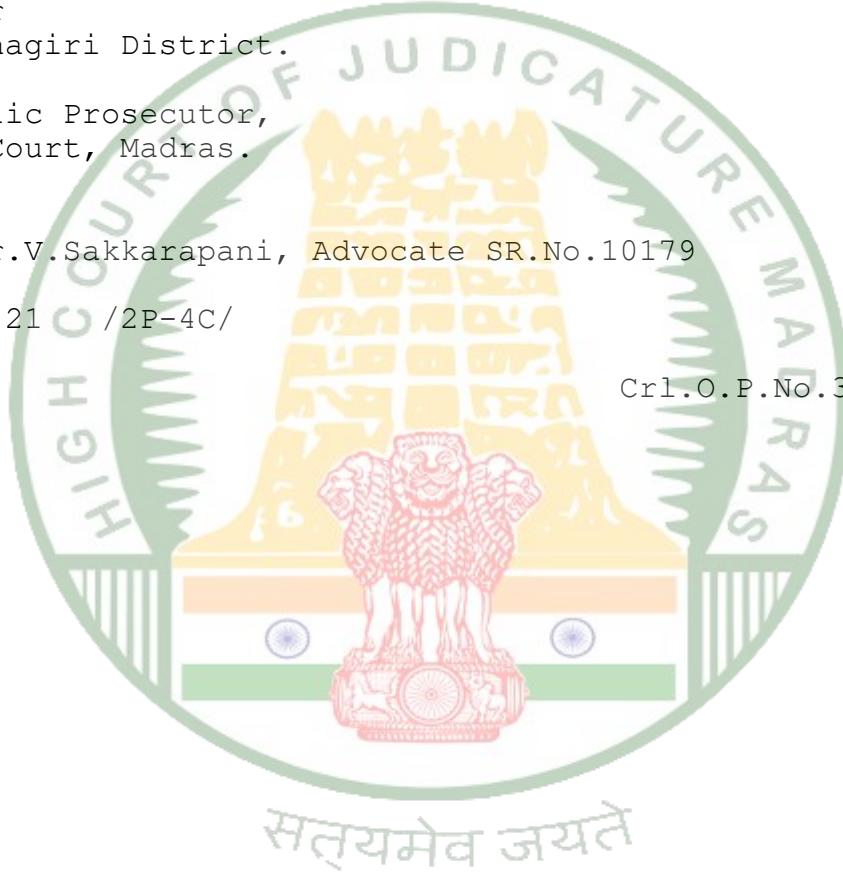
1. The Inspector of Police
All Women Police Station
Bargur
Krishnagiri District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Sakkarapani, Advocate SR.No.10179

AKM/10.03.21 /2P-4C/

Cr1.O.P.No.3113 of 2021
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