

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.02.2021
CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.3293 of 2021

Mr.A.Sivaraji

.. Petitioner

Vs.

State rep. by its
The Sub Inspector of Police,
Arakonam Taluk Police Station,
Ranepet District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the petitioner's complaint dated 29.06.2019.

For Petitioner : Mr.B.Gandhi

For Respondent : Mr.C.Raghavan
Government Advocate

O R D E R

This petition has been filed to direct the respondent police to register the petitioner's complaint dated 29.06.2019.

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 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/-
Assistant Registrar(CS VI)

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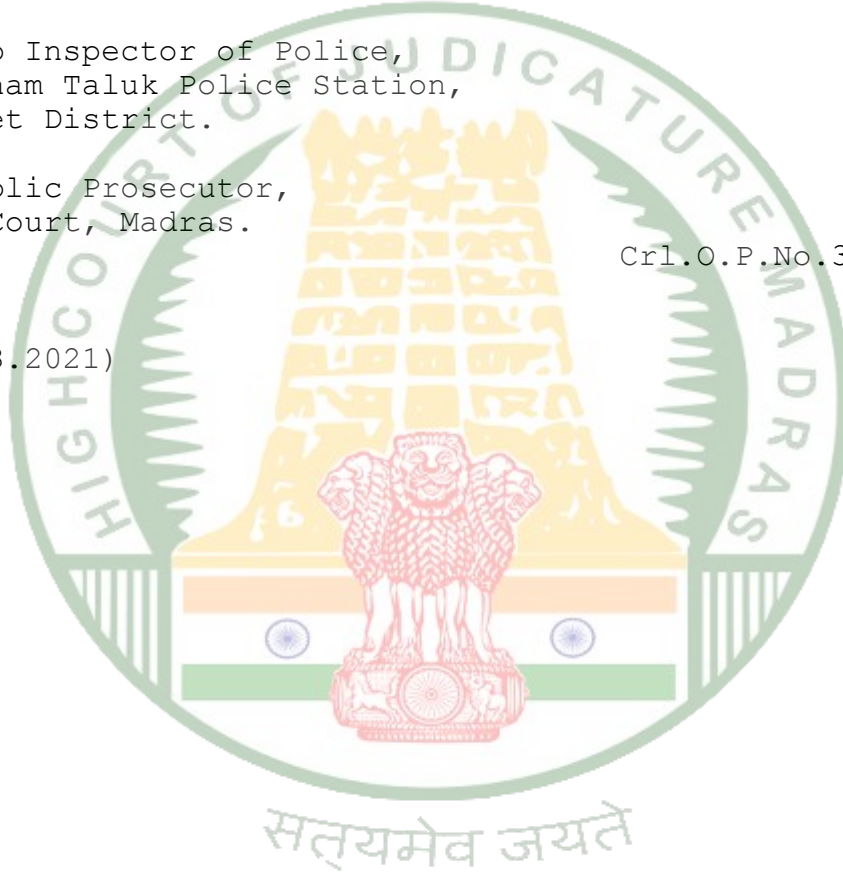
Sub Assistant Registrar

SSR
To

1. The Sub Inspector of Police,
Arakonam Taluk Police Station,
Ranepet District.
2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.3293 of 2021

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