

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.3763 OF 2021

Mrs.S.Vijayalakshmi

.. Petitioner

Vs.

1. The Commissioner of Police,
Commissioner's Office,
Vepery, Chennai -7.
 2. The Joint Commissioner of Police,
East Zone, Egmore, Chennai - 8.
 3. The Assistant Commissioner of Police,
Seliyur, Tambaram
 4. The Inspector of Police,
S-12, Chittlapakkam Police Station,
Crime Branch, Chittlapakkam.
- .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents herein to register the complaint given by the petitioner to S-12, Chittlapakkam Police Station, Crime Branch and also based on the representation of the petitioner dated 07.01.2021 to the respondents herein within the time frame.

For Petitioner : Ms.R.T.Shymala

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents herein to register the complaint given by the petitioner to S-12, Chittlapakkam Police Station, Crime Branch and also based on the representation of the petitioner dated 07.01.2021 to the respondents herein within the time frame.

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 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 VII)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Commissioner of Police,
Commissioner's Office, Vepery, Chennai -7.
2. The Joint Commissioner of Police,
East Zone, Egmore, Chennai - 8.
3. The Assistant Commissioner of Police,
Seliyur, Tambaram
4. The Inspector of Police,
S-12, Chittlapakkam Police Station,
Crime Branch, Chittlapakkam.
5. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Ms.R.T.Shyamala, Advocate, S.R.No.11312

CrI.O.P.No.3763 of 2021

GPL(CO)
CS/22/03/2021