

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.3467 of 2021

M.Sundaravadivu

.. Petitioner

Vs.

1. State Representation by
The Commissioner of Police,
Coimbatore City 641018
 2. The Inspector of Police,
E-2 Peelamedu Police Station,
Peelamedu
Coimbatore City
(CSR No.617/2020)
- .. Respondents

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the second respondent, The Inspector of Police, E-2 Peelamedu Police Station, Peelamedu, Coimbatore City to register the complaint dated 10.12.2020 in CSR No.617 of 2020 dated 11.12.2020 and investigate the case in accordance with law.

For Petitioner : Mr.M.Krishnamoorthy
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 10.12.2020, pending on the file of the second respondent 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 her 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 VII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Commissioner of Police,
Coimbatore City 641018
2. The Inspector of Police,
E-2 Peelamedu Police Station,
Peelamedu
Coimbatore City.
3. The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.KRISHNAMOORTHY, Advocate, S.R.No.11141.

GPL(CO)
CSR 17.03.2021

Cr1.O.P.No.3467 of 2021

सत्यमेव जयते

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