

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4378 of 2021

Srividya

.. Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
B-1, Town Police Station,
Dharmapuri Town and District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register a case on the basis of the petitioner's complaint dated 08.02.2021 and 10.02.2021.

For Petitioner : Mr.V.R.Annagandhi

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 on the basis of the petitioner's complaint dated 08.02.2021 and 10.02.2021.

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 her 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

ssr

To

- 1.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
- 2.The Inspector of Police,
B-1, Town Police Station,
Dharmapuri Town and District.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.V.R.AnnaGandhi, Advocate Sr.No. 13867

Cr1.O.P.No.4378 of 2021

PL(CO)

RMP(17/03/2021)

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