

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.4776 OF 2021

G.Shanthi

.. Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sathuvachary,
Vellore - 636 009.
 2. The Inspector of Police,
Land Grabbing Cell
Office of the Superintendent of Police,
Sathuvachary,
Vellore - 636 009.
- .. Respondents

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to Register FIR based on the complaint of the petitioner dated on 16.07.2020.

For Petitioner : Mr.T.Saravanan

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

सत्यमेव जयते

O R D E R

This petition has been filed to direct the 2nd respondent to Register FIR based on the complaint of the petitioner dated on 16.07.2020.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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 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(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sathuvachary,
Vellore - 636 009.
2. The Inspector of Police,
Land Grabbing Cell
Office of the Superintendent of Police,
Sathuvachary,
Vellore - 636 009. सत्यमेव जयते
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.4776 of 2021

PMK(CO)
CS/29/03/2021