

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 01.03.2021****CORAM****THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH****CrI.O.P No.3979 of 2021**

Malathi

.. Petitioner

Vs.

The State Rep. By
Inspector of Police
Law and Order
Mayiladurai Police Station,
Mayiladurai

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register the petitioner's complaint dated 11.02.2021.

For Petitioner : Mr.B.Sundarapandiyan

For Respondent : Mr.C.Raghavan

Government Advocate

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner complaint dated

11.02.2021 pending on the file of the respondent Police.

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.

01.03.2021

Index : Yes/No
Internet : Yes/No
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N. ANAND VENKATESH, J.

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To

1. The State Rep. By
Inspector of Police
Law and Order
Mayiladurai Police Station,
Mayiladurai
2. The Public Prosecutor,
High Court, Madras.



CrI.O.P No.3979 of 2021

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