

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.4785 of 2021

Mrs.Velankanni

... Petitioner

Vs.

State by

The Inspector of Police,
Puzhal Police Station,
Chennai.

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to Register FIR on the basis of the petitioner compliant dated on 23.12.2020 pending on the file of the respondent police.

For Petitioner : Mr.M.Jaikumar

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

O R D E R

This petition has been filed to direct the respondent police to Register FIR on the basis of the petitioner compliant dated on 23.12.2020 pending on the file of the respondent police.

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 VII)

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Sub Assistant Registrar

ssr
To

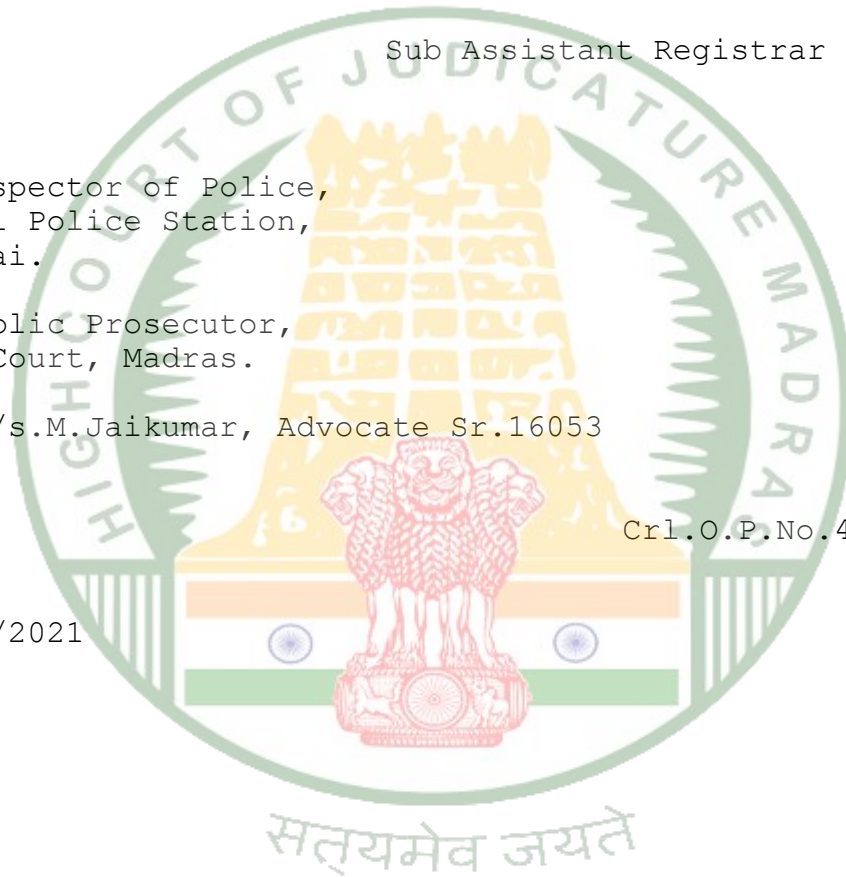
1. The Inspector of Police,
Puzhal Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.M.Jaikumar, Advocate Sr.16053

Crl.O.P.No.4785 of 2021

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