

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.4333 of 2021

Karthic Chandran

.. Petitioner

Vs.

1. The Commissioner of Police,  
No.132, Commissioner office Building,  
EVK Sampath Road, Veppery, Chennai -600 007

2. The Inspector of Police,  
J-12, Kanathur Police Station,  
Kanathur, Chennai.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register a F.I.R on the basis of the complaint dated 23.09.2019 and investigate the same.

For Petitioner : Mr.V.Sundarraju

For Respondents: 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 23.09.2019 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 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 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.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,  
No.132, Commissioner office Building,  
EVK Sampath Road, Veppery, Chennai -600 007
2. The Inspector of Police,  
J-12, Kanathur Police Station,  
Kanathur, Chennai.
3. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.V.Sundarraju, Advocate SR.14154

Cr1.O.P No.4333 of 2021

GPL(CO)  
CB(24/03/2021)

सत्यमेव जयते

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