

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.6166 of 2021

Selvarani

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvannamali District,
Thiruvannamalai.

2. State Represented by
Inspector of Police,
Chetpet Police Station,
Thiruvannamalai district

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to directing the respondents in the above complaint dated 31.08.2020 to register a complaint.

For Petitioner : Mr.H.Balakrishnan

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

ORDER

This petition has been filed to direct the 2nd respondent Police to register a case based on the petitioner's complaint dated 31.08.2020 pending on the file of the 2nd respondent Police.

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

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Thiruvannamali District,
Thiruvannamalai.
2. The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai district
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.R.Balakrishnan, Advocate, S.R.No.20336

Cr1.O.P.No.6166 of 2021

PCH(CO)
CB(18/05/2021)