

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5252 of 2021

Mr.P.Lingapandi

.. Petitioner

Vs.

The Inspector of Police,
West Police Station,
Pollachi

.. Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondent to register the complaint on the complaint of the petitioner dated 06.06.2020, lodged to Inspector of Police, West Police Station, Pollachi and investigate the same according to law.

For Petitioner : Mr.R.Sivakumar

For Respondent : Mr.M.Mohamed Riya
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the complaint on the complaint of the petitioner dated 06.06.2020, lodged to Inspector of Police, West Police Station, Pollachi and investigate the same according to law.

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 Crl 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 III)

/TRUE COPY/

Sub-Assistant Registrar

ssr

To

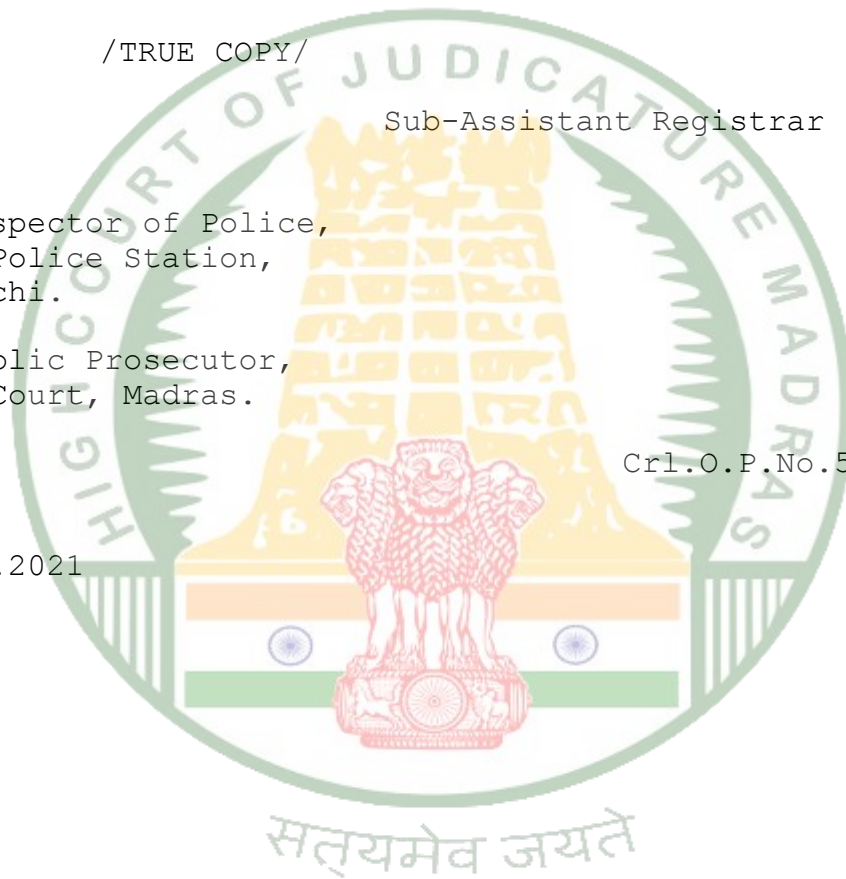
1. The Inspector of Police,
West Police Station,
Pollachi.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.5252 of 2021

PMK (CO)

KKN 20.04.2021



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