

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.4634 of 2021

Nandhini

...Petitioner

.Vs.

1. State rep.by its
The Superintendent of Police,
Ranipet District.
2. State rep.by its
The Deputy Superintendent of Police,
Ranipet District.
3. State rep.by its
The Inspector of Police,
All Women Police Station,
Arakkonam,
Ranipet District.

4.S.Dinesh Kumar Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent police to investigate the matter and register the complaint and take further action on the complaint dt.17.02.2021 in CSR No.32 of 2021, pending on the file of the 3rd respondent police.

For Petitioner : Mr.D.Dayalan
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R 1 to R 3

O R D E R

This Criminal Original Petition has been filed to direct the 3rd respondent police to register the petitioner's complaint dt.17.02.2021 in CSR No.32 of 2021.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of respondents 1 to 3 .

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.

4.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Superintendent of Police,
Ranipet District.
2. The Deputy Superintendent of Police,
Ranipet District.
3. The Inspector of Police,
All Women Police Station,
Arakkonam,
Ranipet District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.Dayalan, Advocate, S.R.No.14521.

CRL.O.P.No.4634 of 2021

PMK (CO)
CSR 25.03.2021