

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.04.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.7328 of 2021

Corolin

... Petitioner

Versus

1.The State represented by
District Superintendent of Police,
Tirupattur - 635 601.
Tirupattur District.

2.The Inspector of Police,
Tirupattur (Town) Police Station,
Tirupattur, Tirupattur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to take action against the accused person namely, Muthu to conduct enquiry and investigate the same in accordance with law.

For Petitioner : Mr.K.Thiruvalluvan

For Respondents: Mr.C.Raghavan,
Government Advocate

ORDER

This petition has been filed to direct the second respondent police to register First Information Report based on the petitioner's complaint dated 04.06.2020.

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 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 his 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)

//True Copy//

Sub Assistant Registrar

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To

1.District Superintendent of Police,
Tirupattur - 635 601.
Tirupattur District.

2.The Inspector of Police,
Tirupattur (Town) Police Station,
Tirupattur, Tirupattur District.

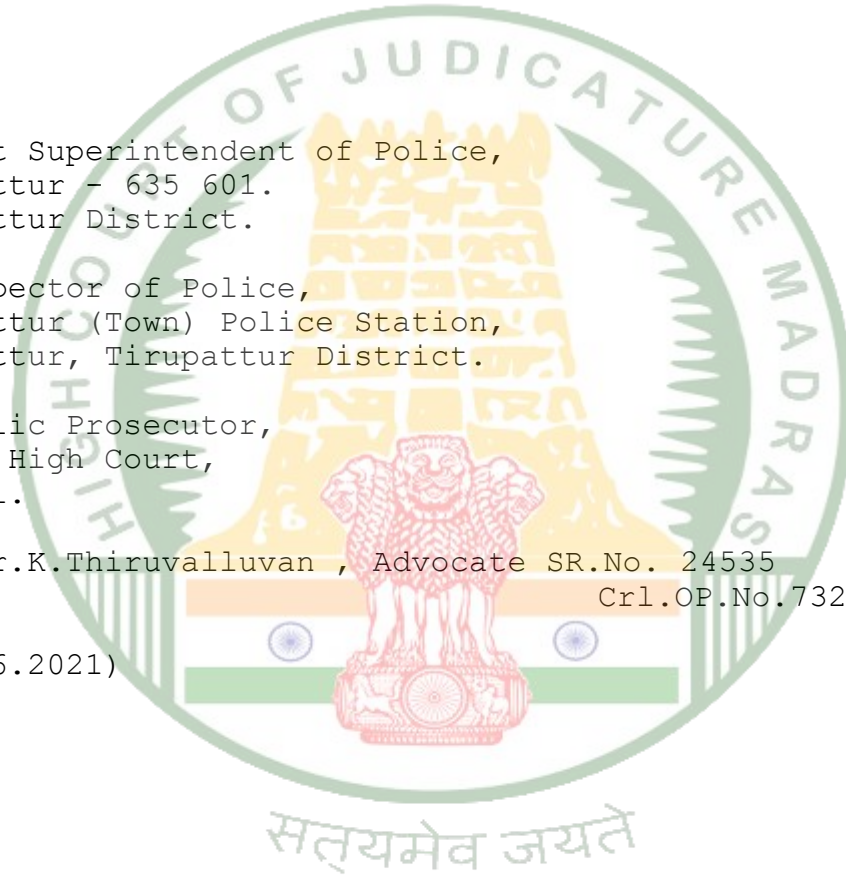
3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.K.Thiruvalluvan , Advocate SR.No. 24535

Cr1.OP.No.7328 of 2021

RSV (CO)

A.SK(16.06.2021)



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