

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 12.03.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5064 of 2021

E.Suresh

.. Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore,
Cuddalore District.
2. The Deputy Superintendent of Police,
Superintendent Office,
Tittagudi,
Cuddalore District.
3. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 3rd respondent to register the petitioner complaint dated on 04.03.2021 and investigate the matter in accordance with the law.

For Petitioner : Mr.R.Rajesh

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This petition has been filed to direct the 3rd respondent to register the petitioner complaint dated on 04.03.2021 and investigate the matter in accordance with the 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 IX)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Superintendent of Police,
Cuddalore,
Cuddalore District.
2. The Deputy Superintendent of Police,
Superintendence Office,
Tittagudi,
Cuddalore District.
3. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.5064 of 2021

MG(CO)
CSR 15.04.2021

WEB COPY