

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.5074 of 2021

V.Sekar

.. Petitioner

Vs.

1.The Senior Superintendent of Police,  
Puducherry,  
Puducherry State.

2.The Inspector of Police,  
Thirupuvavanai Police Station,  
Puducherry State.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2<sup>nd</sup> respondent herein viz., Inspector of Police, Thirubhuvanai Police Station, Puducherry State to register the complaint given by the petitioner herein on 15.02.2021.

For Petitioner : Mr.M.Balaji

For Respondents : Mr.V.Balamurugane  
Additional Public Prosecutor,  
Puducherry.

For Intervener : Mr.C.Arunkumar

ORDER

This petition has been filed to direct the 2<sup>nd</sup> respondent Police to register the complaint given by the petitioner herein on 15.02.2021.

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 Cr1 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 III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Senior Superintendent of Police,  
Puducherry,  
Puducherry State.
- 2.The Inspector of Police,  
Thirupuvavanai Police Station,  
Puducherry State.
3. The Public Prosecutor,  
Puducherry.

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PCH(CO)  
KM(26/04/2021)