

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.6457 OF 2021

B.Krishna Singh

... Petitioner/
Defacto Complainant

..Vs..

The State Represented by its
Inspector of Police,
Thirukkanur Police Station,
Puducherry.

... Respondent/
Complainant

Prayer:-

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to issue suitable direction to register F.I.R based on his complaint dated 23.01.2020 to the above respondent police for criminal case under law and deal with them in accordance with law.

For Petitioner : Mr.Krishna Singh (Party in person)

For Respondent : Mr.D.Bharatha Chakravarthy,
Public Prosecutor (Pondicherry)

O R D E R

This Writ Petition has been filed to issue suitable direction to register F.I.R based on his complaint dated 23.01.2020 to the above respondent police for criminal case under law and deal with them in accordance with law.

2.Heard the petitioner and the learned Public Prosecutor (Pondicherry) appearing for the respondent.

3.This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in G.Prabhakaran Vs. 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 Vs. 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 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 VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Thirukkanur Police Station,
Puducherry.
2. The Public Prosecutor,
Pondicherry.

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SSN(CO)
CS/11/06/2021

सत्यमेव जयते

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