



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5255 of 2021

Paul Saravan victor

.. Petitioner

Vs.

The Inspector of Police,
Nazretpettai Police Station,
Chennai.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent Police to register the complaints submitted by the petitioner dated 10.12.2019 in accordance with law.

For Petitioner : Mr.M.Jagatheesh

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent Police to register a case based on the petitioner's complaint dated 10.12.2019, pending on the file of the respondents Police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of respondent.

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 his remedy as per the directions issued by the Division Bench in the order referred supra.

Sd/-
Assistant Registrar

Sub Assistant Registrar

To

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.L.Venkatesan, Advocate Sr.No. 16579

Cr1.O.P.No.5255 of 2021

PMK (CO)
RMP (09/04/2021)