

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.6167 of 2021

M.Lakshmanan

... Petitioner

.vs.

1.The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
E.V.K.Sampath Road,
Vepery, Chennai.

2.The Inspector of Police,
V-7 Nolambur Police Station,
Nolambur, Chennai.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent herein to register the FIR based on petitioner's complaint dated 04.06.2020.

For Petitioner : Mr.S.Suresh

For Respondents: Mr.C.Raghavan,
Government Advocate.

ORDER

This petition has been filed to direct the 2nd respondent Police to register a case based on the petitioner's complaint dated 04.06.2020 on the file of the 2nd respondent Police.

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
E.V.K.Sampath Road,
Vepery, Chennai.
- 2.The Inspector of Police,
V-7 Nolambur Police Station,
Nolambur, Chennai.
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

सत्यमेव जयते

Cr1.O.P. No.6167 of 2021

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srg 06/07/2021

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