

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 19.03.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5349 of 2021

S.Sasi Kumar

.. Petitioner

Vs.

1. The Commissioner of Police,
Chennai Metropolitan,
Vepery, Chennai - 7.

2. State Rep. by its
The Inspector of Police,
T-2, Ambattur Estate Police Station,
Chennai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the Inspector of Police, T-2, Ambattur Estate Police Station of register the petitioner's complaint dated 20.03.2020.

For Petitioner : Mr.S.Suresh

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

O R D E R

This petition has been filed to direct the Inspector of Police, T-2, Ambattur Estate Police Station to register the case of the petitioner complaint dated 20.03.2020.

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 VII)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Chennai Metropolitan,
Vepery, Chennai - 7.
2. The Inspector of Police,
T-2, Ambattur Estate Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

AKM/09.04.21/2P- 4C/

Cr1.O.P.No.5349 of 2021
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