

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.03.2021

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6246 of 2021

P.Rajendran

... Petitioner

Vs.

1.The State rep by  
The Superintendent of Police,  
Ariyalur District,  
Ariyalur-621 704.

2.The Inspector of Police,  
T-Palur Police Station,  
Ariyalur District-612 914.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents police to register the petitioner's complaint dated 16.02.2020.

For Petitioner : Mr. A.S.Sathiseh Kumar

For Respondents : Mr.Mohamed Riyaz,  
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 16.02.2020, pending on the file of the first respondent Police.

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 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.

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 Superintendent of Police,  
Ariyalur District,  
Ariyalur-621 704.
2. The Inspector of Police,  
T-Palur Police Station,  
Ariyalur District-612 914.
3. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.A.S.Sathiesh Kumar, Advocate, S.R.No.21655

Cr1.O.P.No.6246 of 2021

GPL(CO)  
KM(27/04/2021)