

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.6797 of 2021

Siva Prasad Mannar

... Petitioner

Versus

State rep. by

1.The Deputy Superintendent of Police,
Chengalpet,
Chengalpet District.

2.The Inspector of Police,
ALGSC/KPM (P.E.),
Kancheepuram,
Kancheepuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the petitioner's complaint dated 13.03.2020.

For Petitioner : Mr.K.Ravindranath

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

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner complaint dated 13.03.2020 pending on the file of the 2nd 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

//True Copy//

Sub Assistant Registrar

dna

To

1.The Deputy Superintendent of Police,
Chengalpet,
Chengalpet District.

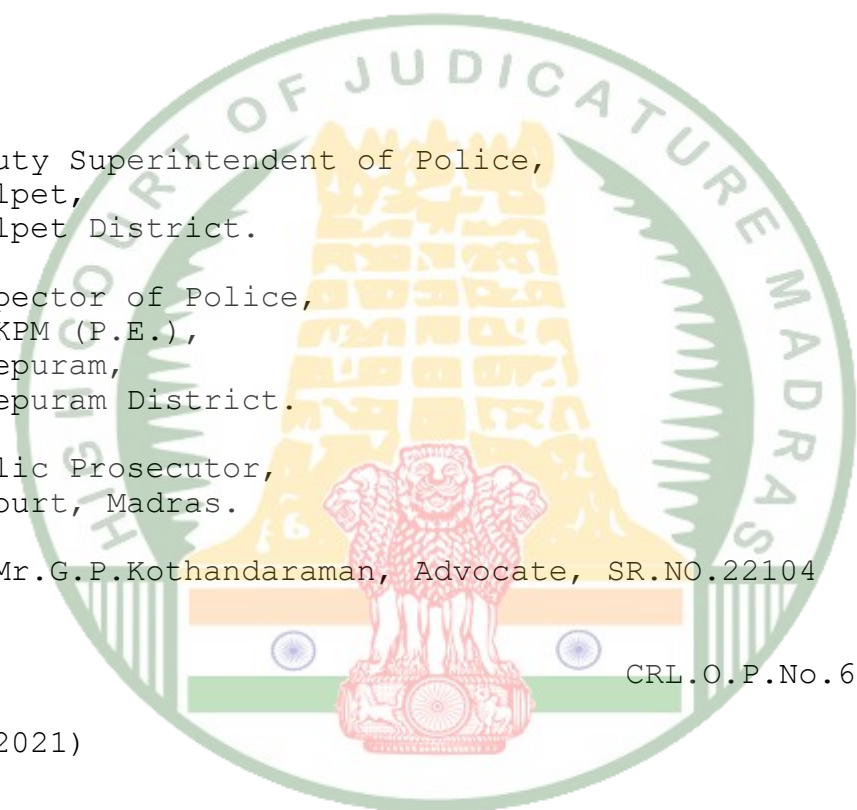
2.The Inspector of Police,
ALGSC/KPM (P.E.),
Kancheepuram,
Kancheepuram District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.G.P.Kothandaraman, Advocate, SR.NO.22104

GPL (CO)
NS (17/05/2021)

CRL.O.P.No.6797 of 2021

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital in front of it. The lion capital is flanked by two red horses. Below the lion capital is a red wheel. The entire emblem is set against a green background with a white border. The text 'HIGH COURT OF JUDICATURE MADRAS' is written in a semi-circle around the top of the emblem. At the bottom, the Sanskrit motto 'सत्यमेव जयते' (Satyameva Jayate) is written in Devanagari script.

सत्यमेव जयते

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