

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 24.03.2021
CORAM
THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH
Crl.O.P.No.5859 of 2021

Narayana Muniyappa Subrahmanyam

.. Petitioner

Vs.

1.The Superintendent of Police,
Angeripalayam Main Road,
Kumaranathapuram, Tiruppur,
Tiruppur District.

2.The Deputy Superintendent of Police,
Rayapuram, Tiruppur,
TamilNadu-641601.

3.The Inspector of Police,
Velampalayam Police station,
Tiruppur District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the FIR based on the petitioners complaint dated 04.01.2020 before the respondent police vide CSR. No.03 of 2020 dated 04.01.2020 on the file of the respondent police.

For Petitioner : Mr.C.Sivakumar

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's complaint dated 04.01.2020, 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 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

rli

To

1. The Superintendent of Police,
Angeripalayam Main Road,
Kumaranathapuram, Tiruppur,
Tiruppur District - 641603.

2. The Deputy Superintendent of Police
Rayapuram, Tiruppur, Tamilnadu 641601

3. The Inspector of Police,
Velampalayam Police station,
Tiruppur District - 641603.

4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/S.C.Sivakumar, Advocate Sr.No.18876

Cr1.O.P.No.5859 of 2021

PL(CO)

baf 11/05/2021

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