

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5944 of 2021

M.B.Ramesh

..Petitioner

Vs.

1. The Commissioner of Police,
Veppery,
Chennai - 600 007.

2. The Inspector of Police,
K7, ICF Police Station,
Chennai - 600 028.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register an FIR pursuant to the complaint dated 06.02.2021.

For Petitioner : Mr.V.V.Sairam

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

O R D E R

This petition has been filed to direct the 2nd respondent to register an FIR pursuant to the complaint dated 06.02.2021.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Veppery,
Chennai - 600 007.
 2. The Inspector of Police,
K7, ICF Police Station,
Chennai - 600 028.
 3. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.V.V. Sairam, Advocate sr 19441.

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AJS (CO)
SP(25/05/2021)

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