

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.7275 of 2021

M.Venugopal
S/O.Manickkam

... Petitioner

Versus

1.The Additional Director General of Police,
Economic Offence Range II,
Electronic Complex Estate, Chennai-32.

2.State by,
Inspector of Police,
Economic Offences Wing-II (EOW-II),
Guindy, Chennai - 600 032.

3.State by,
Inspector of Police,
Economic Offences Wing (EOW),
Thiruvallur-Kancheepuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent to register the petitioner complaint dated 09.09.2020 and file FIR.

For Petitioner : Mr.Manoj Sreevalsan

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

ORDER

This petition has been filed to direct the third respondent to register the petitioner complaint dated 09.09.2020 and file an FIR.

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 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

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To

- 1.The Additional Director General of Police,
Economic Offence Range II,
Electronic Complex Estate, Chennai.
- 2.Inspector of Police,
Economic Offences Wing-II (EOW-II),
Guindy, Chennai - 600 032.
- 3.Inspector of Police,
Economic Offences Wing (EOW),
Thiruvallur-Kancheepuram District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Manoj Sreevalson, Advocate, S.R.No. 24528

Cr1.OP.No.7275 of 2021

EV(CO)
GN(29/06/2021)

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