

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P. No.6101 of 2021

Tmt.R.Brindha

..Petitioner

.vs.

1. The Inspector General of Police,
West Zone Race Course Road,
Coimbatore - 18.
2. The Superintendent of police,
State Bank Road,
Coimbatore - 18.
3. The Commissioner of Police,
Commissioner office,
Hosur Road,
Coimbatore - 18.
4. State by Inspector of Police,
M4, Thudialur Police Station,
Thudialur, Coimbatore - 18.
5. State by the Sub-inspector of Police,
Chinna Thadagam Police Station,
Thudialur Road, Coimbatore

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 5th respondent police to register the case based upon the petitioner complaint dated 23.02.2021.

For Petitioner : Mr.B.Vijayakumar

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

ORDER

This petition has been filed to direct the respondent police to register the case on basis of the complaint dated 23.02.2021 given by the petitioner.

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

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.

This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector General of Police,
West Zone Race Course Road,
Coimbatore - 18.

2. The Superintendent of police,
State Bank Road,
Coimbatore - 18.

3. The Commissioner of Police,
Commissioner office,
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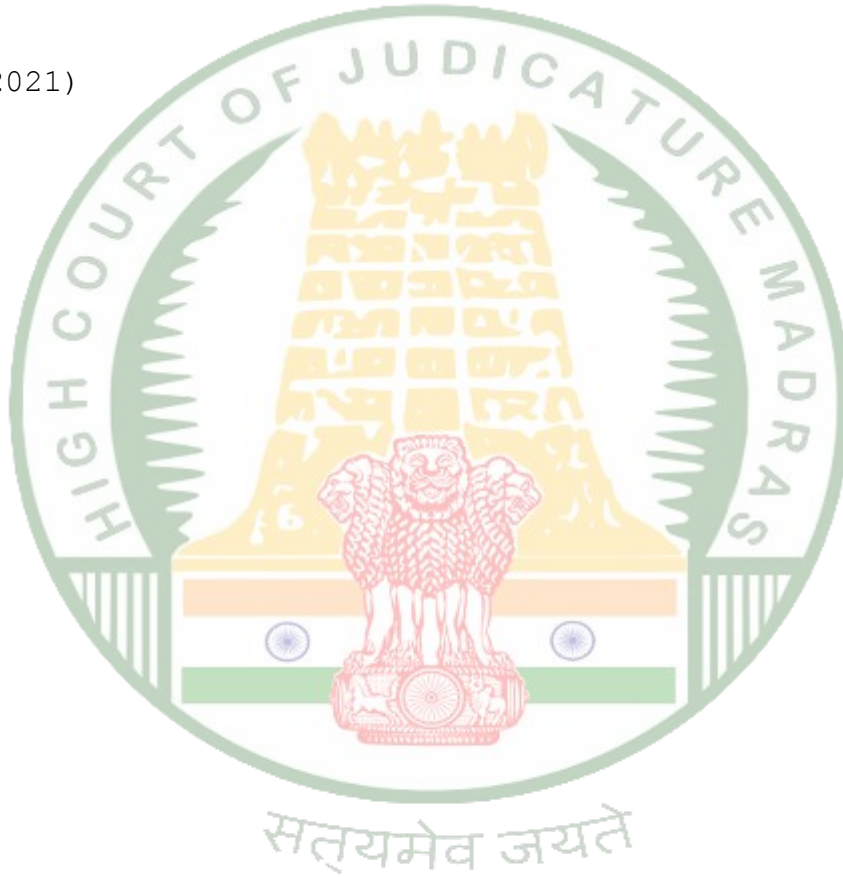
5. State by the Sub-inspector of Police,
Chinna Thadagam Police Station,
Thudialur Road, Coimbatore

6. The Public Prosecutor,
High Court of Madras,
Madras.

+1 CC to Mr.B.Vijayakumar, advocate sr 20210.

Crl.O.P. No.6101 of 2021

PP(CO)
SP(17/04/2021)



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