



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P. No.6100 of 2021

N.Subramani

.. Petitioner

.vs.

1. The State Represented by
Superintendent of Police,
Kanchipuram District,
Kanchipuram.
2. The Inspector of Police,
B5, Walajabad police station,
Kanchipuram District

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the case based on the complaint given by the petitioner dated 14.10.2020.

For Petitioner : Mr.T.N.Dhanasekaran

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

ORDER

This petition has been filed to direct the 2nd respondent police to register the case on basis of the complaint dated 14.10.2020 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 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.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

RKA

To

1. The Superintendent of Police,
Kanchipuram District,
Kanchipuram.
2. The Inspector of Police,
B5, Walajabad police station,
Kanchipuram District
3. The Public Prosecutor,
High Court of Madras,
Madras.

Cr1.O.P. No.6100 of 2021

PCH(CO)
TE (30/04/2021)