

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.7456 of 2021

A.Muniyan

... Petitioner

Versus

1.The Superintendent of Police,
Anti-Land Grabbing Office,
Anti-Land Grabbing Cell,
Thiruvannamalai District,
Thiruvannamalai.

2.The Deputy Superintendent of Police,
Vellore District, Vellore.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register the petitioner's complaint dated 17.02.2020.

For Petitioner : Mr.S.Ramkumar

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

ORDER

This petition has been filed to direct the respondents to register the petitioner complaint dated 17.02.2020 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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Superintendent of Police,
Anti-Land Grabbing Office,
Anti-Land Grabbing Cell,
Thiruvannamalai District,
Thiruvannamalai.

2.The Deputy Superintendent of Police,
Vellore District, Vellore.

3.The Public Prosecutor,
Madras High Court,
Chennai.

Crl.OP.No.7456 of 2021

SVI (CO)
SP(01/07/2021)

सत्यमेव जयते

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