

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2021

CORAM

THE HON`BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.8927 of 2021

R.Manjula

... Petitioner

Vs

1. The Superintendent of Police,
Cuddalore District
Cuddalore.

2. The Inspector of Police,
Veppur Police Station,
Veppur and Taluk
Cuddalore District.

3. Manikandan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register the case on the basis of the complaint given by the petitioner dated 01.01.2020.

For Petitioner : Mr.C.Deivasigamani

For Respondents : Mr.A.Damodaran for R1 and R2
Counsel for Govt. of
Tamilnadu (Crl.Side)

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register the case on the basis of the complaint given by the petitioner dated 01.01.2020.

2.Heard the learned counsel for the petitioner and the learned counsel for Government of Tamilnadu (Crl.Side) 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(CO)

//True copy//

Sub Assistant Registrar

msv

To

1. The Superintendent of Police,
Cuddalore District
Cuddalore.

2. The Inspector of Police,
Veppur Police Station,
Veppur and Taluk
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8927 of 2021

LN(CO)
GMY(28/06/2021)

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