



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.22213 of 2018

R.Soundarapandian

...Petitioner

Versus

1.The Commissioner of Police,
Chennai.

2.The Assistant Commissioner of Police,
S-15, Police Station,
Tambaram,
Chennai.

3. The Inspector of Police, All Women
S-11, Police Station, Women,
Tambaram, Chennai.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent, the police personnel or any other investigation agency to register the complaint made by the petitioner on 06.08.2018 to the first respondent and to file the F.I.R and investigate the same in accordance with law within a time frame as may be fixed by this Court.

For Petitioner : Mr.R.Soundarapandian
[Party-in-Person]

For Respondents: Mr.A.Gopinath
Government Advocate (Cr1.Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent Police to register a case based on the petitioner complaint dated 06.08.2018 pending on the file of the first respondent Police.

2.Heard the Party-in-Person and the learned Government Advocate (Cr1.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 Cr1 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(CS-VI)

True Copy

Sub-Assistant Registrar

msrm

To

1.The Commissioner of Police,
Chennai.

2.The Assistant Commissioner of Police,
S-15, Police Station,
Tambaram,
Chennai.

3. The Inspector of Police, All Women
S-11, Police Station, Women,
Tambaram, Chennai.

4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.22213 of 2018

SSD(CO)

SP(10/08/2021)