

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.OP.No.7317 of 2021

Premkumar

... Petitioner

Versus

1.The Superintendent of Police,
Namakal District.

2. The Inspector of Police,
Paramathi Velure Police Station,
Namakal District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to register the complaint dated 06.02.2021 given by the petitioner on file and investigate the same in pursuant to the law.

For Petitioners : Mr.B.Ramar
For Respondents : Mr.C.Raghavan,
Government Advocate

ORDER

This petition has been filed to direct the second respondent police to register the complaint dated 06.02.2021 given by the petitioner on file and investigate the same in pursuant to the law.

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.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

mbi

To

1.The Superintendent of Police,
Namakal District.

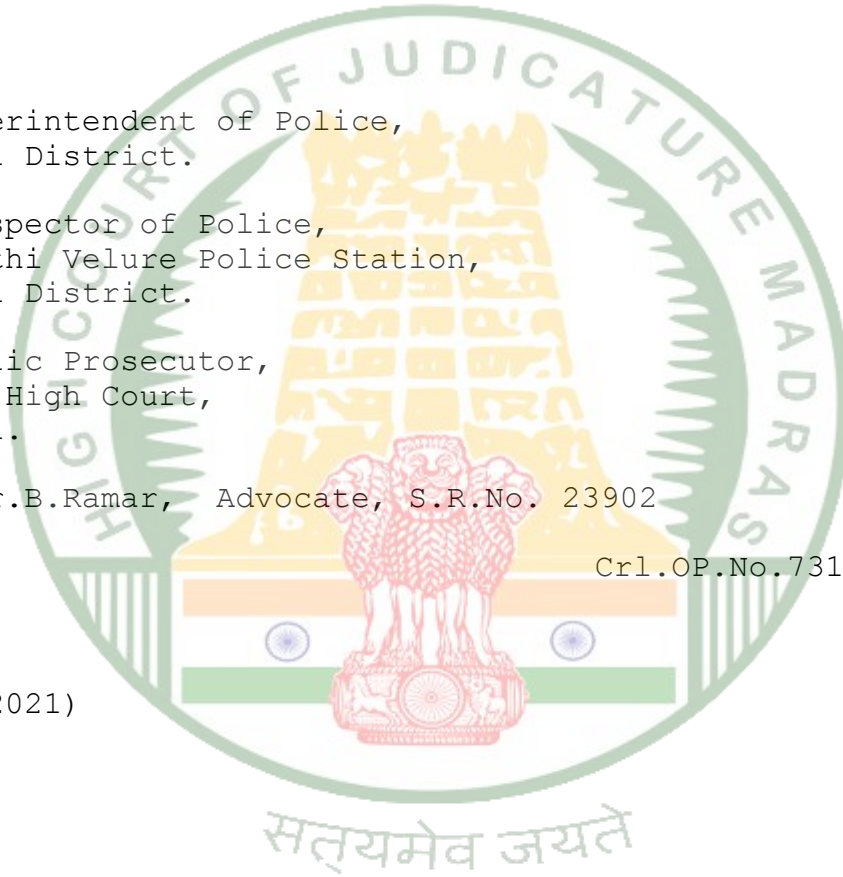
2. The Inspector of Police,
Paramathi Velure Police Station,
Namakal District.

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

+1cc to Mr.B.Ramar, Advocate, S.R.No. 23902

Cr1.OP.No.7317 of 2021

BR(CO)
GN(23/06/2021)



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