



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11734 of 2021

R.Manikandan

....Petitioner

Versus

1.The Superintendent of Police,
Coimbatore.

2.The Inspector of Police
Madukarai Police Station,
Coimbatore - 641 105.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register complaint dated 18.10.2020 in vide C.S.R.No.178 of 2020 and register FIR.

For Petitioner : Mr.K.V.Ramesh

For Respondents: Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondent police to register the complaint dated 18.10.2020 in vide C.S.R.No.178 of 2020 and register the FIR.

2. Heard the learned counsel for the petitioner and the learned Additional Government Advocate (Criminal 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 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 her remedy as per the directions issued by the Division Bench in the order referred supra.

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4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dna
To

1.The Superintendent of Police,
Coimbatore.

2.The Inspector of Police
Madukarai Police Station,
Coimbatore - 641 105.

3.The Public Prosecutor
High Court, Madras.

+2cc to Mr.K.V.Ramesh, Advocate, Sr.No.52261(02/12/2021)

CRL.O.P.No.11734 of 2021

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srg 27/10/2021