

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.7676 of 2021

N. Ishwant Singh

... Petitioner

Versus

1. The Commissioner of Police,
Chennai City Police,
Vepery,
Chennai - 600 007.

2. The Inspector of Police,
S4, Nandampakkam Police Station,
Nandambakkam,
Chennai - 600 089.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register the complaint dated 23.02.2021, to investigate the same as per the legal procedure.

For Petitioner : Mr. P.M. Sozhendran

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

O R D E R

This petition has been filed to direct the respondent Police to register a case based on the petitioner complaint dated 23.02.2021 pending on the file of the respondents Police.

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

dna

To

1.The Commissioner of Police,
Chennai City Police,
Vepery,
Chennai - 600 007.

2.The Inspector of Police,
S4, Nandampakkam Police Station,
Nandambakkam,
Chennai - 600 089.

3.The Public Prosecutor
High Court, Madras 104.

CRL.O.P.No.7676 of 2021

EV(CO)

SP(21/06/2021)

WEB COPY