

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P. No.8343 of 2021

M/s.Sundar Travels,
A Proprietorship Firm
Rep.by its Sole Proprietor,
T.Sudhashini

No.122-B, Type II Quarters, Block - 22,
Neyveli - 607 807.

... Petitioner

Versus

1. The Superintendent of Police,
Karaikkal,
Pondicherry.

2. The Inspector of Police,
Karaikal,
Pondicherry.

3. The Inspector of Police,
Kutralam Police Station,
Nagapattinam District.

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to investigate the matter and to register the same on the basis of the complaint given by the petitioner in accordance with law.

For Petitioner : M/s.M.Akila

For Respondents : Mr.D.Bharathachakravathy
Public Prosecutor,
Pondicherry.

ORDER

The petitioner filed this Criminal Original Petition seeking a direction to direct the respondents to register the first information report on the basis of the complaints dated

28.02.2021, 09.03.2021 and 27.03.2021, given by the petitioner to the respondents.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Crl.side) appearing on behalf of the respondent.

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 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 IX)

//True Copy//

Sub Assistant Registrar

klt

To

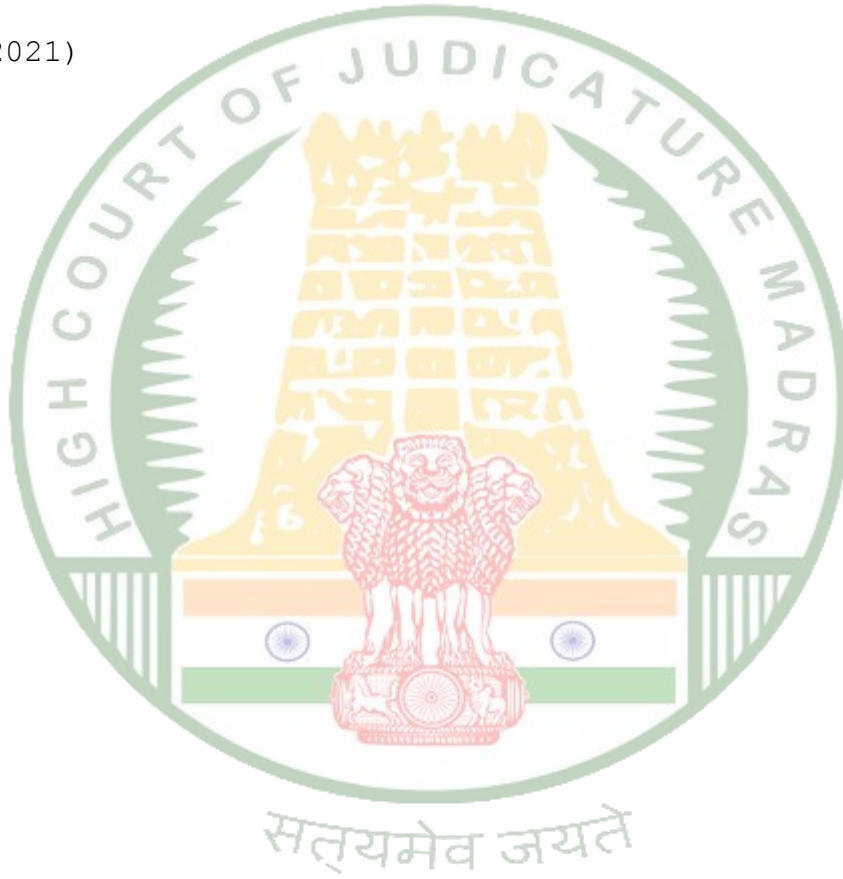
1. The Superintendent of Police,
Karaikkal,
Pondicherry.
2. The Inspector of Police,
Karaikal,
Pondicherry.
3. The Inspector of Police,
Kutralam Police Station,
Nagapattinam District.

4. The Public Prosecutor,
Pondicherry.

+1cc to Mr.T.K.S.Bharathy Anandraj, Advocate, S.R.No.26677

CRL.O.P.No.8343 of 2021

KV (CO)
SU(13/07/2021)



WEB COPY