

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.05.2021

CORAM

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P.No.8830 of 2021

K.Girija

... Petitioner

Vs.

1. The Superintendent of Police,
Krishnagiri District.

2. The Sub Inspector of Police,
KRP Dam Police Station,
Krishnagiri District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents to register the FIR based on the complaint dated 22.03.2021.

For Petitioner : Mr.S.C.Vishwanath

For Respondents : Mr.L.Baskaran
Counsel for Government
(Criminal Side)

ORDER

This criminal original petition has been filed to direct the respondents to register FIR based on the complaint dated 22.03.2021.

2. Heard the learned counsel for the petitioner and the learned counsel for Government (Criminal Side) appearing on behalf of respondents.

3. This petition is not maintainable, in view of the decision of 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 in M.Subramaniam v. S. Janaki reported in (2020) 5 CTC 464, after relying upon Sakiri Vasu Case, has categorically held that High Courts 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 the alternative remedy provided under Section 154 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 stands dismissed.

Sd/-
Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

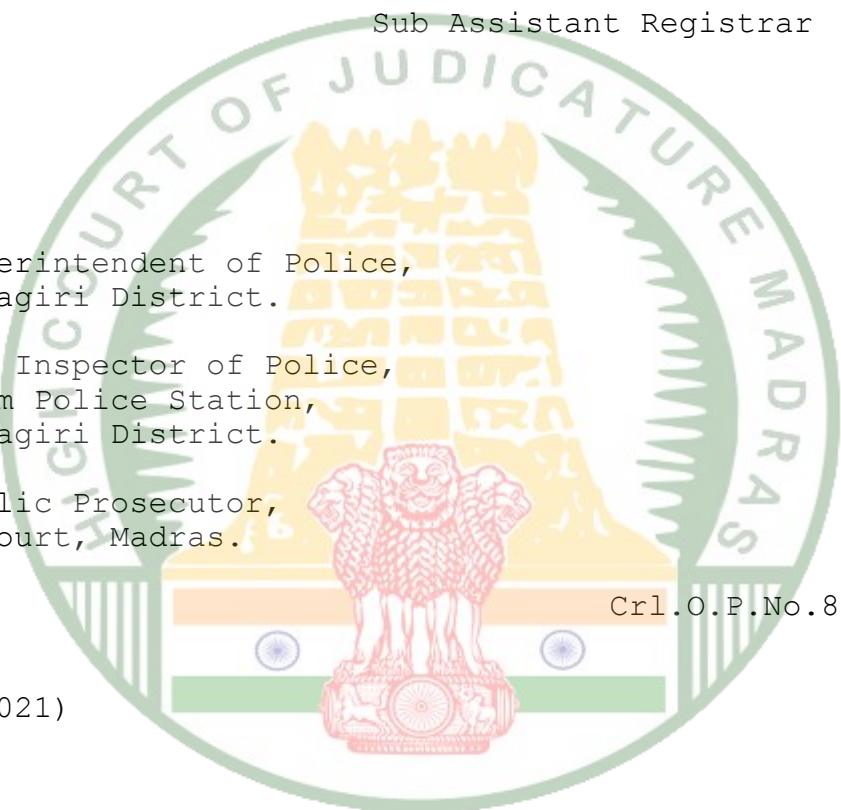
ssr/mkn

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Sub Inspector of Police,
KRP Dam Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.8830 of 2021

VBM(CO)
CB(03/06/2021)

The seal of the Madras High Court is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The text "HON'BLE COURT OF JUDICATURE MADRAS" is written in a green circle around the central image. Below the seal, the motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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