

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.05.2021

CORAM

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P.No.8742 of 2021

L.Chandrasekar

... Petitioner

Vs

The State rep. by
The Inspector of Police,
Mathigiri Police Station,
Hosur Taluk,
Krishnagiri District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register the complaint of the petitioner dated 03.04.2021.

For Petitioner : Mr.R.Jayaprakash

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

ORDER

This criminal original petition has been filed to direct the respondent to register the complaint of the petitioner dated 03.04.2021.

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

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 CrI 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.

s/d-
Assistant Registrar

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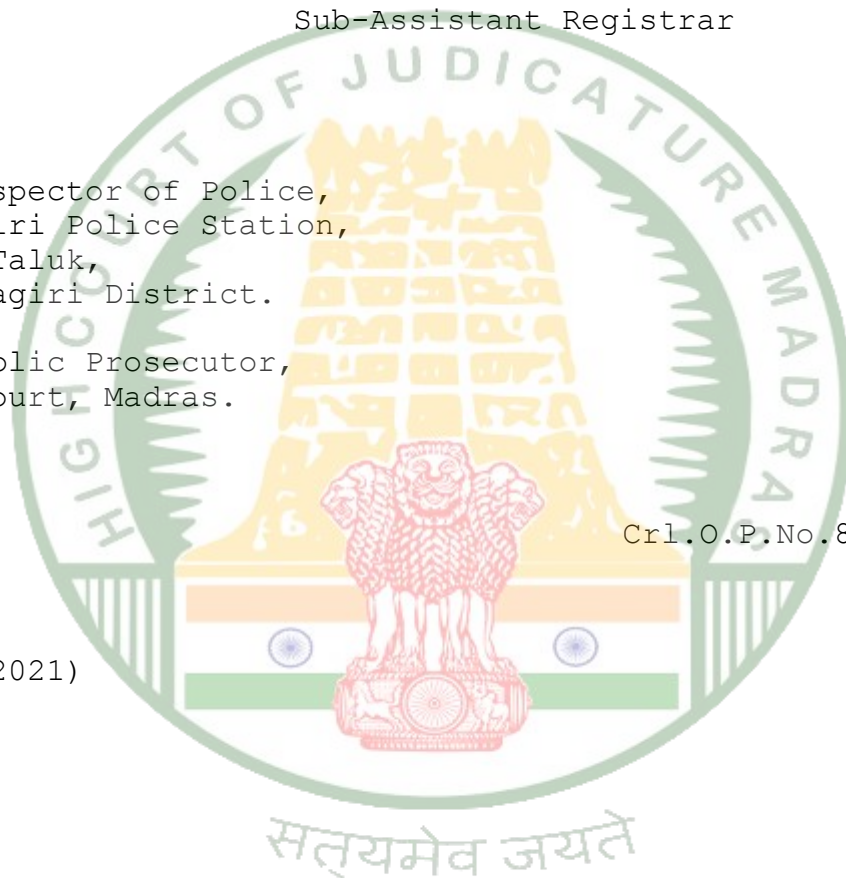
Sub-Assistant Registrar

ssr/mkn
To

1. The Inspector of Police,
Mathigiri Police Station,
Hosur Taluk,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.8742 of 2021

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



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