



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.09.2021

WEB COPY

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.13569 of 2021

Pushpa Latha

... Petitioner

Versus

State by

1. Sub-Inspector of Police,
All Women Police Station,
Ashok Nagar,
Chennai.

2.K. Prabhakaran

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue necessary direction to the 1st respondent to register FIR on the basis of complaint dated 17.07.2021 made by the petitioner against the 2nd respondent in accordance with law.

For Petitioner : Mr.A.Prabhakaran

For Respondent No.1: Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

This petition has been filed to issue necessary direction to the 1st respondent to register FIR on the basis of complaint dated 17.07.2021 made by the petitioner against the 2nd respondent in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing on behalf of the first 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 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sms/gv
To

1.The Sub-Inspector of Police,
All Women Police Station,
Ashok Nagar,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Prabhakaran, Advocate Sr.51082

CRL.O.P.No.13569 of 2021

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srg 18/10/2021