

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P. No.20055 of 2020

M.VANDHANA

.. Petitioner/Complainant

.vs.

STATE BY

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
VADAPALANI, CHENNAI.

...Respondent

This Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent/police to register the FIR based on the complaint of the petitioner in Cr.No.4 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.B.Natarajan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent police to register the FIR based on the complaint of the petitioner in Cr.No.4 of 2020 pending on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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.

-s/d-
Assistant Registrar

True Copy

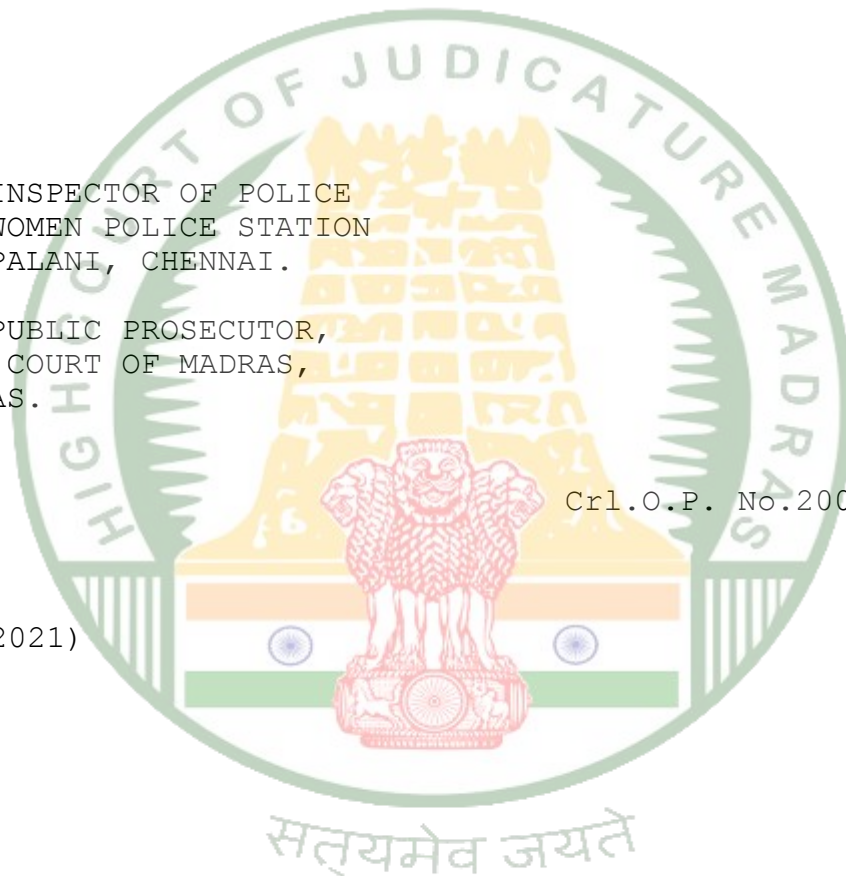
Sub-Assistant Registrar

mra
To

1. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION
VADAPALANI, CHENNAI.
2. THE PUBLIC PROSECUTOR,
HIGH COURT OF MADRAS,
MADRAS.

Cr1.O.P. No.20055 of 2020

SR(CO)
SP(03/02/2021)



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