

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16417 of 2020

S.Johnson Engrin,
S/o.M.Sadasivam.

... Petitioner

Vs.

The State rep. by

1.The Additional Deputy Commissioner of Police,
Job Rocketing Wing,
O/o.CCB, The Commissioner of Police Campus,
Vepery, Chennai 600 007.

2.The Inspector of Police,
Job Rocketing Wing,
O/o.CCB, The Commissioner of Police Campus,

Vepery, Chennai 600 007.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 2nd respondent to take further action on the petitioner's complaint dated 26.09.2019 pending investigation on his file in C.No.5326/CCB/Visitors/2019.

For Petitioner : Mr.R.Krishnamurthy

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent Police to take further action on the petitioner's complaint dated 26.09.2019, pending on the file of the 2nd respondent police.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Additional Deputy Commissioner of Police,
Job Rocketing Wing,
O/o.CCB, The Commissioner of Police Campus,
Vepery, Chennai 600 007.
- 2.The Inspector of Police,
Job Rocketing Wing,
O/o.CCB, The Commissioner of Police Campus,
Vepery, Chennai 600 007.
- 3.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.16417 of 2020

SSI (CO)
CB(03/02/2021)

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