



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.16040 of 2021

Ramakrishnan.

... Petitioner

Versus

1. The Superintendent of Police
Villupuram District.

2. State Rep by
The Inspector of Police,
Valathy Police Station,
Villupuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent/police viz: the Inspector of Police, Valathy Police Station, Villupuram District to register the complaint dated 23.02.2021 given by the petitioner.

For Petitioner : Mr.T.R.Sivaram.

For Respondents : Mr.R.Vinoth Raja,
Government Advocate (crl.side)

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner's complaint dated 23.02.2021 pending on the file of the 2nd respondent Police.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) 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 Cr1 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(CS II)

//True Copy//

Sub Assistant Registrar

mpl

To

1. The Superintendent of Police
Villupuram District.
2. The Inspector of Police,
Valathy Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court, Madras.

+1CC to Mr.T.R.Sivaram, Advocate, Sr.No.48072

CRL.O.P.No.16040 of 2021

AJS (CO)

K.RK. (13.10.2021)