



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.15148 of 2021

Venkatesan

... Petitioner

Versus

1. The State Rep. by
The Superintendent of Police,
Vellore District, Vellore.

2. The Inspector of Police,
Latheri Police Station,
Vellore District.

... Respondents

PRAYER:

This Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register a case based on the petitioner's complaint dated on 20.06.2021.

For Petitioner : E.Kannadasan.

For Respondents : Mr.A.Damodaran,
Government Advocate (Crl.side)

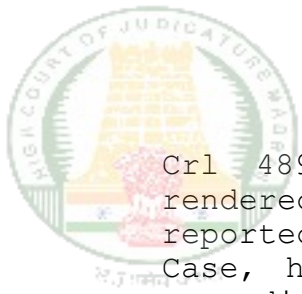
ORDER

(This case has been heard through video conference)

The petitioner had filed this petition to direct the 2nd respondent to register FIR on his complaint dated 20.06.2021 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 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



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 VII)

//True Copy//

Sub Assistant Registrar

mrp/mdl

To

1. The Superintendent of Police,
Vellore District, Vellore.
2. The Inspector of Police,
Latheri Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras-104.

+lcc to E.Kannadasan, Advocate, S.R.No.44308

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AJS (CO)
CS/12/10/2021