

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.17854 of 2020

C.Ravi,
S/o.Chinnanna.

...Petitioner

.Vs.

1.The Superintendent of Police,
Krishnagiri District.

2.The Inspector of Police,
District Crime Branch,
Krishnagiri District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register the complaint given by the petitioner on 24.07.2019 and 21.09.2020 and file a F.I.R.

For Petitioner : Mr.K.Shanmugam

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent Police to register an FIR based on the petitioner's complaints dated 24.07.2019 and 21.09.2020 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 CrI 489. The Hon'ble Supreme Court in its latest judgment

Page numbers

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

//True Copy//

Sub Assistant Registrar

rm

To

- 1.The Superintendent of Police,
Krishnagiri District.
- 2.The Inspector of Police,
District Crime Branch,
Krishnagiri District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Shanmugam, Advocate SR.448

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

सत्यमेव जयते

CRL.O.P.No.17854 of 2020

WEB COPY

Page numbers