

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20044 of 2020

C.Radhakrishnan

.. Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Office of Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Deputy Commissioner Office,
St.Thomas Mount, Chennai - 600 016.
3. The Inspector of Police,
S7-Madipakkam Police Station,
Chennai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 3rd respondent herein to register a case on the basis of complaint dated 10/02/2020 and pass such further or other orders as this court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.V.Purushothama Reddy

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

सत्यमेव जयते
O R D E R

This petition has been filed to direct the 3rd respondent herein to register a case on the basis of complaint dated 10.02.2020.

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

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS.VIII)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai,
Office of Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Deputy Commissioner Office,
St.Thomas Mount, Chennai - 600 016.
3. The Inspector of Police,
S7-Madipakkam Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

AKM/25.2.21 /2P-5C/

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