

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.20054 of 2020

Radha Bhuvaneswari Subburatnam

.. Petitioner

.vs.

1. The Commissioner of Police
Greater Chennai
Office of Commissioner of Police
Vepheri, Chennai - 600 007.

2. The Deputy Commissioner of Police
Adyar Range
Adyar, Chennai - 600 020.

3. The Inspector of Police (Crime)
J-13, Taramani Police Station
Chennai - 600 113.

..Respondents

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to register a case on the basis of complaint dated 21.04.2020.

For Petitioner : Mr.V.Purushothaman Reddy

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the the 3rd respondent to register a case on the basis of complaint dated 21.04.2020.

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 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.

4. This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mra
To

1. THE COMMISSIONER OF POLICE
GREATER CHENNAI
OFFICE OF COMMISSIONER OF POLICE
VEPHERY, CHENNAI - 600 007.
2. THE DEPUTY COMMISSIONER OF POLICE
ADYAR RANGE
ADYAR, CHENNAI - 600 020.
3. THE INSPECTOR OF POLICE (CRIME)
J-13, TARAMANI POLICE STATION
CHENNAI - 600 113.
4. THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS
MADRAS.

Cr1.O.P. No.20054 of 2020

RR(CO)
SP(29/01/2021)

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