



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.15986 of 2021

J.Vani

... Petitioner

Versus

1.The Superintendent of police
Tiruvallur District,
Tiruvallur.

2.The Inspector of Police
R.K. Pet Police Station
Tiruvallur District.

3.The Sub-Inspector of Police
R.K. Pet Police Station
Tiruvallur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to conduct enquiry on the petitioner's complaint dated 17.10.2020 given to the 1st respondent and which was forwarded to the 2nd respondent to register and dispose of the same within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

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

ORDER

This petition has been filed to direct the respondents to conduct enquiry on the petitioner's complaint dated 17.10.2020 given to the 1st respondent and which was forwarded to the second respondent to register and dispose of the same within a stipulated time.



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 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 her 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

dna

To

1. The Superintendent of Police,
Tiruvallur District, Tiruvallur.
2. The Inspector of Police,
R.K. Pet Police Station,
Tiruvallur District.
3. The Sub-Inspector of Police,
R.K. Pet Police Station, Tiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

+lcc to M/s.T.P.Prabakaran, Advocate Sr No.48130
CRL.O.P.No.15986 of 2021

SJ (CO)
PR (11/10/2021)