

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17154 of 2020

T.Jagannathan

...Petitioner

Vs

The Commissioner of Police,
Central Crime Branch,
No.132, Commissioner office Building,
EVK Sampath Road, Vepery, Periyamet,
Chennai-7.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register a case based on the petitioners online complaint reference No.ECJ20102820 dated 12.09.2020 and register an FIR against the accused persons in accordance to law.

For Petitioner : Mr.R.Abdul Mubeen

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner's online complaint reference No.ECJ20102820 dated 12.09.2020, pending on the file of the 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 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.

05.01.2021

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

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To

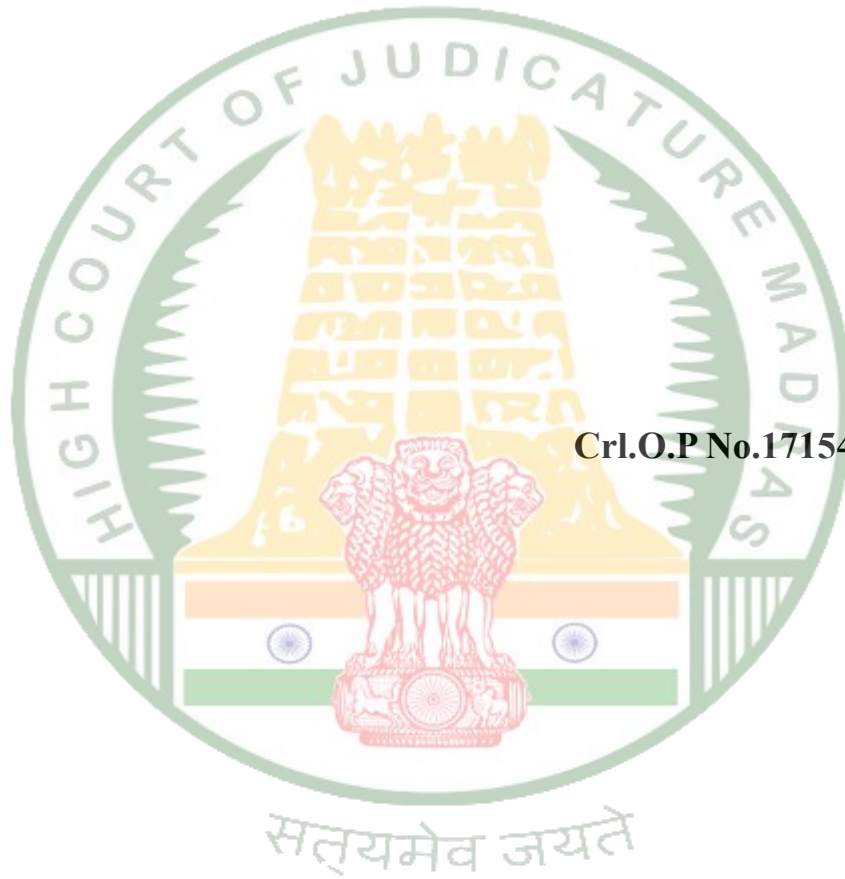
1. The Commissioner of Police,
Central Crime Branch,
No.132, Commissioner office Building,
EVK Sampath Road, Vepery, Periyamet,
Chennai-7.

2. The Public Prosecutor,
High Court of Madras.



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N. ANAND VENKATESH, J.
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