

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.17157 of 2020

K.Murali

..Petitioner

.Vs.

1. The State Rep. By
The Deputy Commissioner of Police,
Madhavaram Range,
Chennai.

2. The District Superintendent of Police,
Tiruvallur, Tiruvallur District.

3. The Inspector of Police,
M-4, Redhills Police Station,
Redhills, Chennai.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to register FIR based on the petitioner's complaint dated on 12.10.2020.

For Petitioner : Mr.S.Sugendran

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the 3rd respondent Police to register a case based on the petitioner's complaint dated 12.10.2020, pending on the file of the 3rd respondent Police.

2. Heard the learned counsel for the petitioner and the learned Government 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 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.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Deputy Commissioner of Police,
Madhavaram Range,
Chennai.
2. The District Superintendent of Police,
Tiruvallur, Tiruvallur District.
3. The Inspector of Police,
M-4, Redhills Police Station,
Redhills, Chennai.
4. The Public Prosecutor,
High Court, Madras.

Cr1.O.P No.17157 of 2020

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