

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17727 of 2020

Malliga,
W/o.late Rajasekaran.

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
Perumpalai Police Station,
Dharmapuri District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the 2nd respondent police to complete the enquiry on the complaint given by the petitioner dated 12.10.2020 consequently to take action as per law against the accused persons.

For Petitioner : Mr.M.Senthilkumar
For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to direct the respondent Police to complete the enquiry on the petitioner's complaint dated 12.10.2020, pending on the file of the 2nd 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 her 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 VI)

//True Copy//

Sub Assistant Registrar

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To

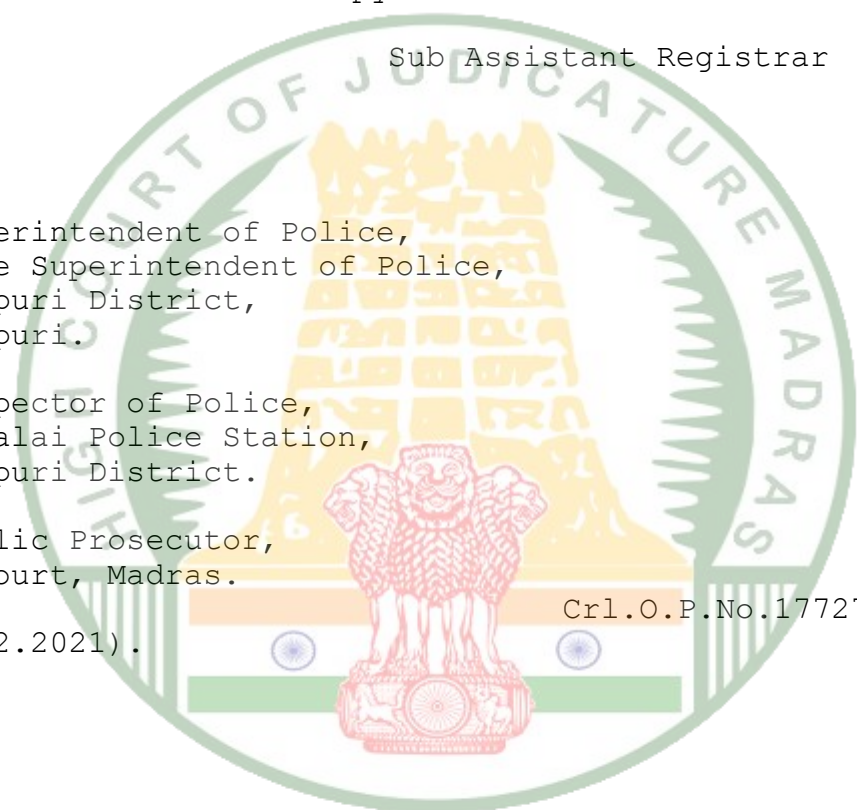
1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
Perumpalai Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

A.SK(05.02.2021).

Cr1.O.P.No.17727 of 2020

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is flanked by two green palm trees. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a green circle around the central image. At the bottom of the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

सत्यमेव जयते

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