

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17724 of 2020

N.Mullainathan,
S/o.Nagarajan.

... Petitioner

Vs.

- 1.The Superintendent of Police,
Ariyalur,
Ariyalur District.
- 2.The Deputy Superintendent of Police,
Ariyalur,
Ariyalur District.
- 3.The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondent to take further action on the petitioner's complaint dated 29.02.2020 and investigate the matter in accordance with law.

For Petitioner : Mr.K.Karuppaiya Mooppanar
For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

सत्यमेव जयते
ORDER

This Criminal Original Petition has been filed to direct the respondent Police to take further action on the petitioner's complaint dated 29.02.2020, 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.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rm
To

1.The Superintendent of Police,
Ariyalur,
Ariyalur District.

2.The Deputy Superintendent of Police,
Ariyalur,
Ariyalur District.

3.The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.

4.The Public Prosecutor,
High Court, Madras.

A.SK(05.02.2021).

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सत्यमेव जयते
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