

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.17739 of 2020

E.Arasu

.. Petitioner

.vs.

1. The Inspector of Police,
Thandrampet Police Station,
Thandrampet,
Thiruvannamalai District.
2. The Inspector,
Anti Land Grabbing Special Cell,
Thiruvannamalai.
(R2 impleaded as per order in
Crl.MP.7672 /2020 in Crl.OP.
17739 of 2020, dt.4.12.2020)

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to conduct enquiry and take action on petitioner complaint dated 01.11.2019 in CSR.No.381 of 2019.

For Petitioner : Mr.N. Balaji
For Respondents: Mr.M.Mohamed Riyaz,
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondents to conduct enquiry and take action on petitioner's complaint dated 01.11.2019 in CSR.No.381 of 2019.

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

//True Copy//

Sub Assistant Registrar

msr

To

- 1.The Inspector of Police,
Thandrapet Police Station,
Thandrapet,
Thiruvannamalai District.
2. The Inspector,
Anti Land Grabbing Special Cell,
Thiruvannamalai.
3. The Public Prosecutor,
High Court of Madras.

+1 cc to M/s.N.Balaji, Advocate Sr.No. 1148

Cr1.O.P. No.17739 of 2020

UM(CO)

RMP (29/01/2021)

सत्यमेव जयते

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