

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.20017 of 2020

S.JAYACHANRAN

..Petitioner

.vs.

1 THE STATE REPRESENTED BY
THE SUPERINTENDENT OF POLICE
THIRUVANNAMALAI, THIRUVANNAMALAI DISTRICT.

2 THE STATE REPRESENTED BY
THE DEPUTY SUPERINTENDENT OF POLICE
THIRUVANNAMALAI, THIRUVANNAMALAI DISTRICT.

3 THE STATE REPRESENTED BY
INSPECTOR OF POLICE
THIRUVANNAMALAI POLICE STATION
THIRUVANNAMALAI DISTRICT.

...Respondents

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the respondent to register the complaint dated 13.06.2019 and investigate the matter in accordance with the law.

For Petitioner : Mr.S.Arokiamaniraj

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the complaint dated 13.06.2019 and investigate the matter in accordance with the law.

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.

Sd/-
Assistant Registrar

//True Copy//

mra
To

Sub Assistant Registrar

- 1 THE SUPERINTENDENT OF POLICE
THIRUVANNAMALAI, THIRUVANNAMALAI DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE
THIRUVANNAMALAI, THIRUVANNAMALAI DISTRICT.
- 3 INSPECTOR OF POLICE
THIRUVANNAMALAI POLICE STATION
THIRUVANNAMALAI DISTRICT.
- 4 THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS
MADRAS.

+1cc to M/s.S.Arokiamaniraj, Advocate in SR.NO..618

सत्यमेव जयते

Cr1.O.P. No.20017 of 2020

(CO)
rv(03/02/2021)

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