

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17465 of 2020

R.Pugazhendi

... Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District,
Office of the Superintendent of Police,
Villupuram.

2.The Inspector of Police,
DCB-Anti Land Grab Special Cell,
Villupuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register the petitioner's complaint dated 21.09.2020 on the file of the respondent Police.

For Petitioner : Mr.S.Muthukumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 21.09.2020, pending on the file of the respondents 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli

To

1. The Superintendent of Police,
Villupuram District,
Office of the Superintendent of Police,
Villupuram.

2. The Inspector of Police,
DCB-Anti Land Grab Special Cell,
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.17465 of 2020

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