



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16309 OF 2021

T.R.K.Vikraman

...Petitioner

Versus

1. The Deputy Commissioner of Police,
Deputy Commissioner Office,
T.Nagar, T.Nagar District.

2. The Inspector of Police
E3 Teynampet Police Station,
494, Anna Salai, Teynampet,
Thiru Vi Ka Kudiyiruppu,
Teynampet, Chennai - 600 006

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent police to register the FIR in C.S.R.No.312 of 2019 dated 27.04.2019 in the petitioner's complaint dated 27.04.2019.

For Petitioner : Mr.S.Vinoth Kumar

For Respondents: Mr.R.Vinoth Raja
Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the 2nd respondent police to register the FIR in C.S.R.No.312 of 2019 dated 27.04.2019 in the petitioner's complaint dated 27.04.2019.

2. Heard the learned counsel for the petitioner and the learned Additional Government Advocate (Criminal Side) 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Deputy Commissioner of Police,
Deputy Commissioner Office,
T.Nagar.

2. The Inspector of Police
E3 Teynampet Police Station,
494, Anna Salai, Teynampet,
Thiru Vi Ka Kudiyiruppu,
Teynampet, Chennai - 600 006

3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.S.Vinothkumar, Advocate, S.R.No.48764

CRL.O.P.No.16309 of 2021

PVS (CO)
RGA(18/10/2021)