

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18164 of 2020

M.Ravi

..Petitioner

vs.

1. The District Superintendent of Police,
District Collectorate Office Compus,
Kanchipuram - 6310501.

2. The Inspector of Police,
Magaral Police Station,
Magaral,
Walajabad Taluk,
Kanchipuram District.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to take further course of action in consequence to the enquiry done by the 2nd respondent on 03.10.2020, on the basis of the complaint lodged by the petitioner dated 01.10.2020.

For Petitioner : Mr.C.K.Sekar

For Respondent : Mr.M.Mohamed Riyaz
(Crl.Side)

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to conduct further investigation on the basis of the complaint lodged by the petitioner dated 01.10.2020.

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 II)

//True Copy//

KP
To

Sub Assistant Registrar

1. The District Superintendent of Police,
District Collectorate Office Compus,
Kanchipuram - 6310501.
2. The Inspector of Police,
Magaral Police Station,
Magaral,
Walajabad Taluk,
Kanchipuram District.
3. The Public Prosecutor,
High Court, Madras.

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RSV(CO)
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