



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.16562 OF 2021

- 1.Pappayya
- 2.Thimmarayappa
- 3.Thimmappa
- 4.Annaiyappa
- 5.Muniyallappa
- 6.Raji
- 7.Muniraj
- 8.Chinnamuniyappa
- 9.Subramani
- 10.Lakshmanan
- 11.Amarnarayanaraja

... Petitioners

Versus

1. The State rep. by
The Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
DCB, Superintendent of Police Office,
Krishnagiri District

....Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to take action on the petitioner complaint dated 26.07.2021 and investigate the matter in accordance with law.

For Petitioners : Mr.T.Elumalai

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent police to take action on the petitioner complaint dated 26.07.2021 and investigate the matter in accordance with law.



2. Heard the learned counsel for the petitioners 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 CrI 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 petitioners to workout their 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 II)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police,
DCB, Superintendent of Police Office,
Krishnagiri District.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.T.Elumalai, Advocate, S.R.No.47716

CRL.O.P.No.16562 of 2021

VSN-II (CO)
CS/12/10/2021