

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18365 of 2020

Kumar

...Petitioner

.Vs.

1.The Inspector of Police,
F.2, Kadaladi Police Station,
Tiruvannamalai District.

2.The District Superintendent of Police,
District Superintendent Office,
Tiruvannamalai District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to take further action against the unknown culprits and vide in CSR No.515 of 2020.

For Petitioner : Mr.N.Saravanan
For Respondents : Mr.C.Raghavan
Government Advocate

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent police to register the FIR based on the complaint given by the petitioner on 22.09.2020 in CSR No.515 of 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 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 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(CS)

//True Copy//

Sub Assistant Registrar

KP
To

- 1.The Inspector of Police,
F.2, Kadaladi Police Station,
Tiruvannamalai District.
- 2.The District Superintendent of Police,
District Superintendent Office,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18365 of 2020

A.SK(05.02.2021).

सत्यमेव जयते

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