

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.18535 of 2020

J.Anbalagan

.. Petitioner

Vs.

The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai - 600 043

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to register the First Information Report on the petitioners complaint dated 19.10.2020 and proceed with in accordance with law.

For Petitioner : Mr.C.Kanagaraju

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register the First Information Report on the petitioners complaint dated 19.10.2020 and proceed with in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

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.

This Criminal Original Petition is disposed of accordingly.
Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ssr

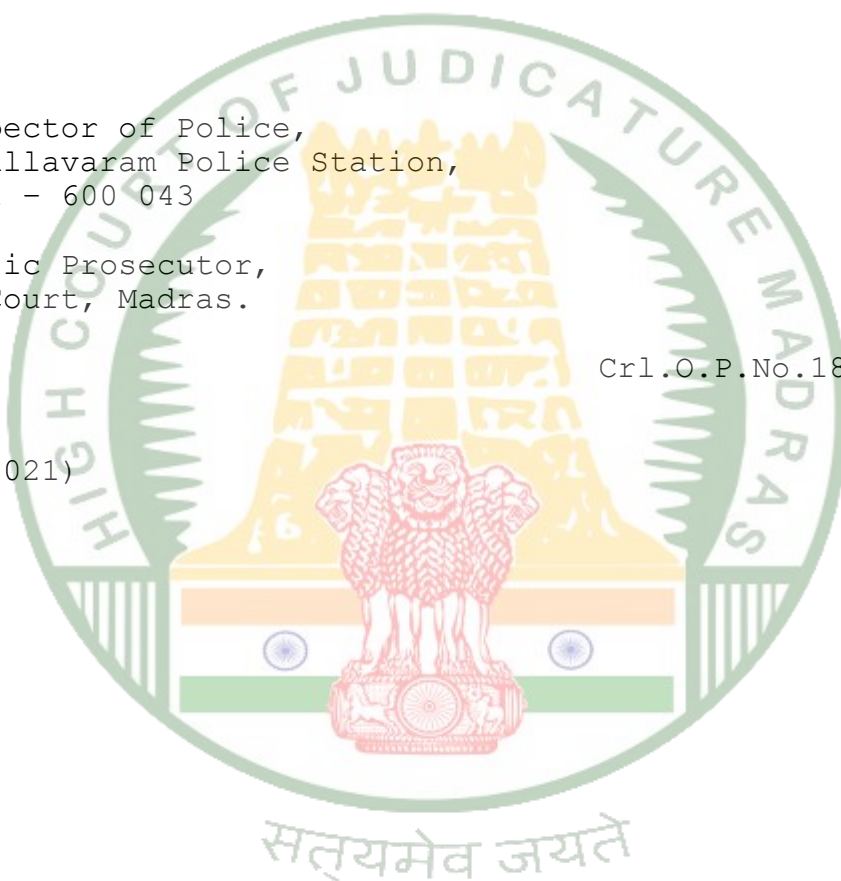
To

1.The Inspector of Police,
S-5, Pallavaram Police Station,
Chennai - 600 043

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.18535 of 2020

SS (CO)
CB (25/02/2021)



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