

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18741 of 2020

M.Kalaimani

...Petitioner

vs.

1. The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
No.132, E.V.K.Sampath, Vepery,
Chennai 600 007.
2. The Joint Commissioner of Police,
West Zone, Sidco Administrative Building,
2nd Main Road, Ambattur Industrial Estate,
Chennai 600 058.
3. The Deputy Commissioner of Police,
Ambattur Police District,
Old Municipality Building, 1st Floor,
Avadi, Chennai 600 054.
4. The Assistant Commissioner of Police,
Pattabiram Range,
Chennai Thiruvallur High Road,
Thiruninravur 602 024.
5. The Inspector of Police,
T-11, Thiruvallur High Road,
Thiruninravur 602 024.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, directing the respondents to register the case based on the complaint given by the petitioner on 18.01.2020 to the 3rd respondent and another complaint given by the petitioner on 21.01.2020 to the 1st respondent to file the final report within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Praveen Kumar

For Respondents: Mr.M.Mohamed Riyaz

(Crl.Side)

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents to register the case based on the complaint given by the petitioner on 18.01.2020 and 21.01.2020 .

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kp

To

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5. The Inspector of Police,
T-11, Thiruvallur High Road,
Thiruninravur 602 024.
6. The Additional Public Prosecutor,
High Court, Madras.

CrI.O.P No.18741 of 2020

rsv(CO)
rv(04/02/2021)



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