

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18733 of 2020

T.Raja Prem Kumar

...Petitioner

.Vs.

1.The Superintendent of Police,
Erode.2.Inspector of Police,
Erode City Police Station,
Erode.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to herein to register FIR on petitioners complaint dated 15.07.2019 and to proceed in accordance with law.

For Petitioner : Mr.A.Immanuel

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 FIR based on the petitioner's complaint dated 15.07.2019.

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.

18.01.2021

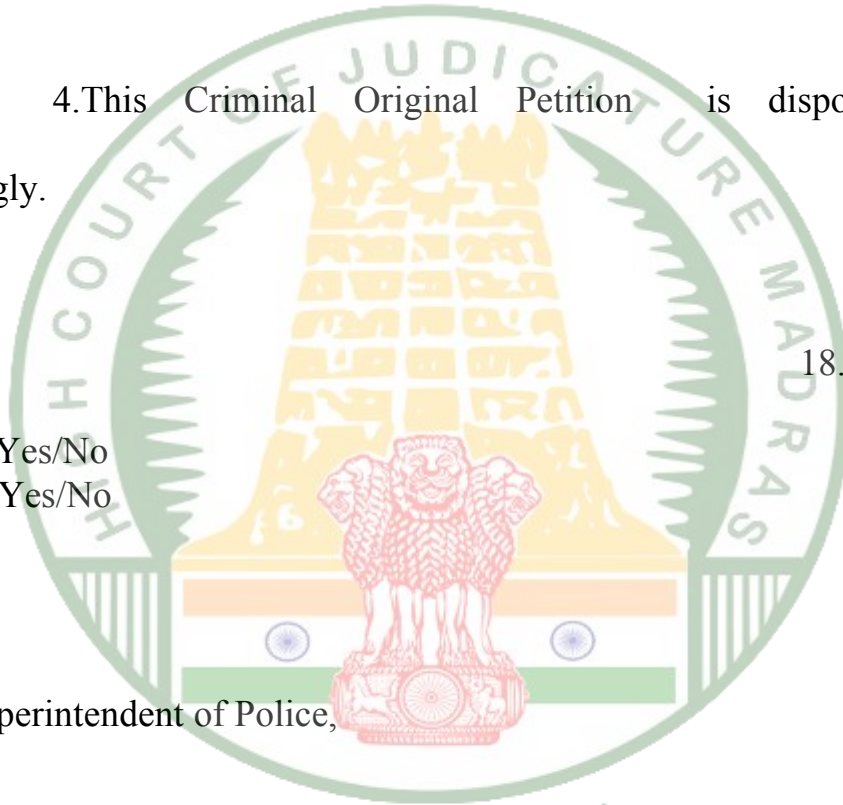
Index : Yes/No
Internet: Yes/No
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To

1.The Superintendent of Police,
Erode.

2.Inspector of Police,
Erode City Police Station,
Erode.

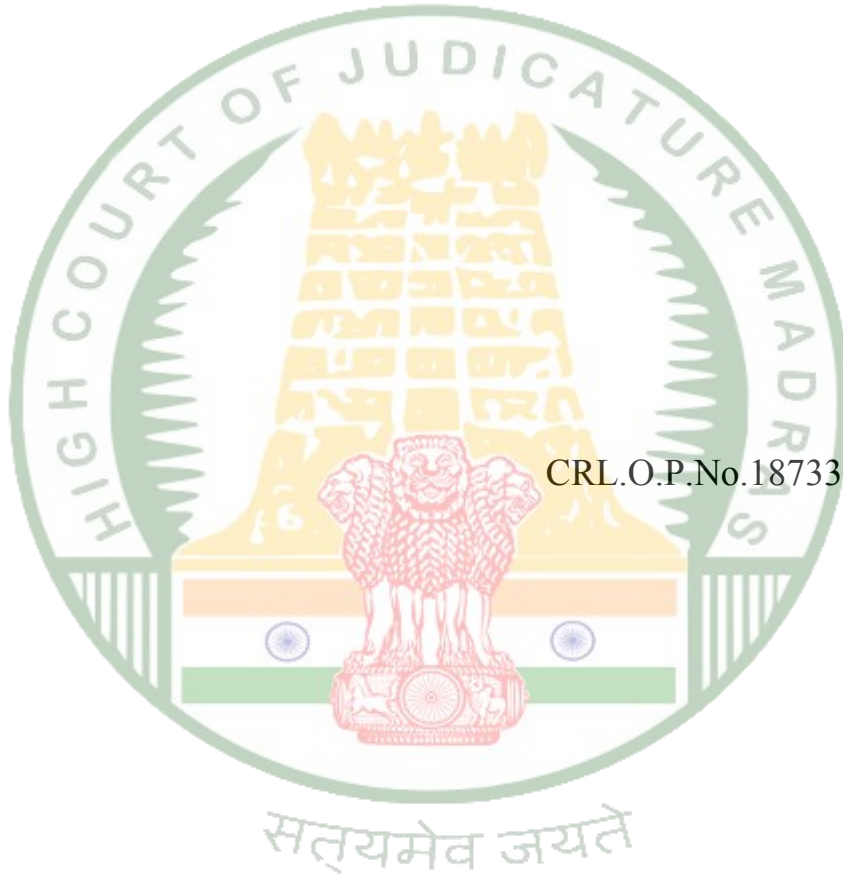
3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH. J.,

KP



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