

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.20081 of 2020

M/S. ADITYA BIRLA FINANCE LIMITED
REP.BY ITS AUTHORIZED OFFICER
MR.M.SHIVARASAN MOHAN KUMAR DEVAR
HAVING ITS REGISTERED OFFICE AT
INDIAN RAYON COMPOUNT
VERAVAL, GUJART - 32.

.. Petitioner

.VS.

THE STATE REP. BY
INSPECTOR OF POLICE STATION
H-2, GUDUVANCHERRY POLICE STATION
GUDUVANCHERRY.

..Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent - The Inspector of Police , H2, Guduvancheri Police Station, Guduvancheri, to register the complaint dated 13.10.2020.

For Petitioner

: Mr.K.Mariyappan

For Respondents

: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent police to register the complaint dated 13.10.2020.

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.

4. This Criminal Original Petition is disposed of accordingly.

04.01.2020

mra
Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No

To

1. INSPECTOR OF POLICE STATION
H-2, GUDUVANCHERRY POLICE STATION
GUDUVANCHERRY.

2. THE PUBLIC PROSECUTOR,
HIGH COURT OF MADRAS,
MADRAS.

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N. ANAND VENKATESH,. J.

mra



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