



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.18852 of 2021

1.K.Ravi
2.K.Jayakumar
3.P.Venkatachalam

... Petitioners

Versus

1.The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore City.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register a case against the accused based on the complaint dated 26.07.2021, lodged by the petitioners.

For Petitioners: Mr.J.Bharathi Raja

For Respondents: Mr.R.Vinoth Raja
Government Advocate (Crl.Side)

* * * * *

O R D E R

This petition has been filed to direct the respondent to register a case against the accused based on the complaint dated 26.07.2021, lodged by the petitioners.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) 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 Crl 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 petitioners to workout their 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(CCC)

//True Copy//

Sub Assistant Registrar

ah

To

- 1.The Commissioner of Police,
Coimbatore City,
Coimbatore.
- 2.The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore City.
- 3.The Public Prosecutor
High Court, Madras.

CRL.O.P.No.18852 of 2021

CP(CO)
CB(01/11/2021)