

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19059 of 2020

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..PETITIONER

Vs

- 1 THE DISTRICT SUPERINTENDENT OF POLICE,
DHARMAPURI DISTRICT, DHARMAPURI
- 2 THE INSPECTOR OF POLICE,
B-1, TOWN POLICE STATION, DHARMAPURI TOWN,
DHARMAPURI

..RESPONDENT

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to enquire and register the case based on the complaint dated 23.09.2020.

For Petitioner : M.Selvam

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent Police to register a case based on the petitioner's complaint dated 23.09.2020, pending on the file of the 2nd respondent Police.

2. Heard the learned counsel for the petitioner and the learned Government 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 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 petitioner to workout her remedy as per the directions issued by the Division Bench in the order referred supra.

4. This Criminal Original Petition is disposed of accordingly.

04.01.2021

Index : Yes/No
 Internet : Yes/No
 Speaking Order/Non-Speaking Order
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To

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DHARMAPURI DISTRICT, DHARMAPURI
- 2 THE INSPECTOR OF POLICE,
B-1, TOWN POLICE STATION, DHARMAPURI TOWN,
DHARMAPURI
3. THE PUBLIC PROSECUTOR,
HIGH COURT OF MADRAS



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N. ANAND VENKATESH, J.

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