



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18119 of 2021

Shriram City Union Finance Ltd.
rep. by authorised secretary

... Petitioner/Defacto Complainant

Versus

The Inspector of Police,
Thirunindravur Police Station,
Thirunindravur
In CSR No.195/19

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order directing the respondent herein to register the FIR on the basis of the CSR.No.195/2019 dated 25.04.2019 investigate the matter and file a final report before the concerned court within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.N.Gnanalingam.

For Respondent : Mr.R.Vinothraja
Government Advocate(Crl.side)

ORDER

(This case has been heard through video conference)

This petition has been filed to direct the respondent to register a case based on the petitioner's complaint dated 25.04.2019 pending on the file of the respondent Police.

2.Heard the learned counsel for the petitioner and the learned Government Advocate 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 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.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp
To

1. The Inspector of Police,
Thirunindravur Police Station,
Thirunindravur.
2. The Public Prosecutor,
High Court, Madras.

+1cc to the Government pleader Sr.52591

CRL.O.P.No.18119 of 2021

mg[col]
srg 26/10/2021