



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.18123 of 2021

M/s.Shriram City Union Finance Ltd.
rep. by its autorised secretary

... Petitioner

Versus

The Inspector of Police,
Mangadu Police Station,
Mangadu, Thiruvallur District.
In CSR No.1297/18

... Respondent

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.1297/2018 dated 09.11.2018 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(CrI.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 09.11.2018 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 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.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Inspector of Police,
Mangadu Police Station,
Mangadu,
Thiruvallur District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Gnanalingam, Advocate, S.R.No.52589

CRL.O.P.No.18123 of 2021

JP-II(CO)
CS/08/11/2021