



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.10.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18470 of 2021

R.Mohala

... Petitioner

Versus

1. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.
3. The Sub-Inspector of Police,
Panruti Police Station,
Panruti.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 3rd respondent to register an FIR in pursuance to the complaint of the Petitioner dated 22.04.2021.

For Petitioner : Mr.P.Munusamy
For Respondents: Mr.R.Vinoth Raja,
Government Advocate (crl.side)

ORDER

This petition has been filed to direct the 3rd respondent Police to register a case based on the petitioner's complaint dated 22.04.2021.

2.Heard the learned counsel for the petitioner 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 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 VI)

//True Copy//

Sub Assistant Registrar

mpl

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore District.
3. The Sub-Inspector of Police,
Panruti Police Station,
Panruti.
4. The Public Prosecutor,
High Court, Madras.

+2 ccs to Mr.P.Munusamy, Advocate Sr.NO. 53557

CRL.O.P.No.18470 of 2021

GJ(CO)

A.SK(27.10.2021)

08.10.2021