



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.18369 of 2021

1. Devi.

2. Saravanan.

... Petitioners

Versus

The State rep by,
The Inspector of Police,
Kadaladi Police Station,
Kalasapakkam Taluk,
Tiruvannamalai District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register a case based on the complaint dated 01.08.2021 in accordance with law.

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

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner's complaint dated 01.08.2021.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) 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.

WEB COPY

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mpl
To

The Inspector of Police,
Kadaladi Police Station,
Kalasapakkam Taluk,
Tiruvannamalai District.

CRL.O.P.No.18369 of 2021

ad(CO)
A.SK(29.10.2021)