



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18704 of 2021

G.Job Dev Prasath

... Petitioner

Versus

1.The Assistant Commissioner of Police,
Poonamallee,
Chennai - 600 056

2.The Inspector of Police,
Poonamallee Police Station
Chennai - 600 056

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register the petitioner's complaint dated 18.09.2021 and proceed with the investigation in accordance with law.

For Petitioner : Mr.S.Thankira

For Respondents: Mr.R.Vinothraja,
Government Advocate (crl.side)

ORDER

This petition has been filed to direct the respondents Police to register a case based on the petitioner's complaint dated 18.09.2021.

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 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-II)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The Assistant Commissioner of Police
Poonamallee,
Chennai - 600 056.

2.The Inspector of Police
Poonamallee Police Station
Chennai - 600 056.

3.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18704 of 2021

SVI (CO)
GN(15/11/2021)