

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Cr1.O.P.No.19939 of 2020

K.Bhuvanendiran

.. Petitioner

Vs.

1. The Superintendent of Police,
Thiruppur District - 641 603.

2. The Deputy Superintendent of Police,
Avinashi Police Range,
Thiruppur District - 641 654.

3. The Inspector of Police,
Kunnamthur Police Station,
Thiruppur District - 638 103.

4. G.Velumani

5. S.K.Selvan

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, directing the 1st respondent to 3rd respondent to take necessary further action based on the complaint dated on 12.11.2020 and to investigate the case.

For Petitioner : Mr.V.Logeswaran

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor
for R1 to R3

ORDER

This petition has been filed to direct the 1st respondent to 3rd respondent to take necessary further action based on the complaint dated on 12.11.2020 and to investigate the case.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents 1 to 3.

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 Cr1 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.

This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr

To

1. The Superintendent of Police,
Thiruppur District - 641 603.
 2. The Deputy Superintendent of Police,
Avinashi Police Range,
Thiruppur District - 641 654.
 3. The Inspector of Police,
Kunnamthur Police Station,
Thiruppur District - 638 103.
 4. The Public Prosecutor,
High Court, Madras.
- +1 CC to Mr.S. Rooban Kumar, advocate sr 5463.

Cr1.O.P.No.19939 of 2020

VSNI (CO)
SP(23/02/2021)