

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.02.2021
CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.19932 of 2020

N.S.Rangachari

.. Petitioner

Vs.

1. State of Tamil Nadu rep by its
The Commissioner of Police,
Greater Chennai, Vepery, Chennai - 600 007.

2. The Inspector of Police,
Central Crime Wing,
Vepery, Chennai - 600 007.

3. N.Velappan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 1st and 2nd respondents to take further action the complaint dated 14.03.2020 and take action against the 3rd respondent.

For Petitioner : Mr.S.Ilamvazhuthi

For Respondents : Mr.C.Raghavan,
Government Advocate for R1 & R2

O R D E R

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 & 2.

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.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS.VIII)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai, Vepery, Chennai - 600 007.
2. The Inspector of Police,
Central Crime Wing,
Vepery, Chennai - 600 007.
3. The Public Prosecutor,
High Court, Madras.

AKM/25.2.21

/2P-4C/

Cr1.O.P.No.19932 of 2020
01.02.2021

सत्यमेव जयते

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