

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.01.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P. No.19879 of 2020

KRISHNAN

.. Petitioner

.vs.

1 STATE REP BY
JOINT COMMISSIONER OF POLICE
NORTH ZONE, CHENNAI DISTRICT.

2 THE INSPECTOR OF POLICE
H-4, KORRUKKUPET POLICE STATION
CHENNAI.

..Respondents

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the respondent to investigate and register a case based on the petitioner's complaint dated 02.11.2020.

For Petitioner : Mr.S.Nambirajan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to investigate and register a case based on the petitioner's complaint dated 02.11.2020.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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

//True Copy//
Sub Assistant Registrar

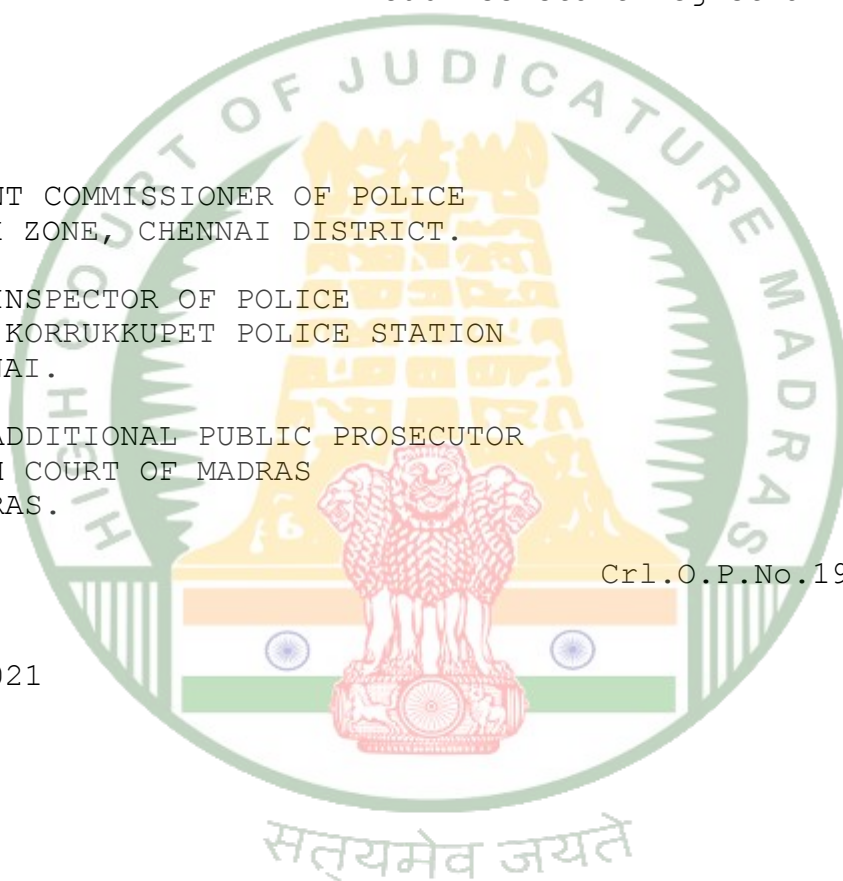
mra

To

1. JOINT COMMISSIONER OF POLICE
NORTH ZONE, CHENNAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
H-4, KORRUKKUPET POLICE STATION
CHENNAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR
HIGH COURT OF MADRAS
MADRAS.

Crl.O.P.No.19879 of 2020

rr(co)
aa02/02/2021



WEB COPY