

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P. No.20099 of 2020

S.VEERAMMAL

..Petitioner

.vs.

1. THE STATE REP BY
THE DEPUTY COMMISSIONER OF POLICE
O/O. DEPUTY COMMISSIONER OF POLICE
AMBATTUR POLICE ZONE,
AVADI CHENNAI - 600 054.

2. THE INSPECTOR OF POLICE
T-2 AMBATTUR INDUSTRIAL ESTATE POLICE STATION
AMBATTUR INDUSTRIAL ESTATE
CHENNAI - 600 058.

..Respondents

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the FIR upon the petitioner's complaint dated 04.11.2020 and to investigate the same.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

This petition has been filed to direct the 2nd respondent to register the FIR upon the petitioner's complaint dated 04.11.2020 and to investigate the same.

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/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

1. THE STATE REP BY
THE DEPUTY COMMISSIONER OF POLICE
O/O. DEPUTY COMMISSIONER OF POLICE
AMBATTUR POLICE ZONE,
AVADI CHENNAI - 600 054.
2. THE INSPECTOR OF POLICE
T-2 AMBATTUR INDUSTRIAL ESTATE POLICE STATION
AMBATTUR INDUSTRIAL ESTATE
CHENNAI - 600 058.
3. THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS
MADRAS.

CrI.O.P. No.20099 of 2020

sr (co)
rr ii (02/02/2021)

WEB COPY