

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.02.2021
CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20198 of 2020

S.Muruganantham

.. Petitioner

Vs.

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.

2. The Inspector of Police,
Mangalampettai Police Station,
Cuddalore District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent to register a case on the petitioner's complaint dated 06.12.2020 and to take appropriate legal action in accordance with law and thus render justice.

For Petitioner : Mr.P.Nagaraju

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

ORDER

This petition has been filed to direct the 2nd respondent to register a case on the petitioner's complaint dated 06.12.2020 and to take appropriate legal action in accordance with law

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 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 Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Mangalampettai Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.

AKM/25.2.21 /2P-4C/

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