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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.19156 of 2021

R.Suresh

... Petitioner

Versus

The State Represented by its
The Inspector of Police,
K-11, Police Station,
Koyambedu,
Chennai - 600 107.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register F.I.R on the complaint dated 21.07.2021 and investigate the matter in accordance with law.

For Petitioner : Mr.G.Mutharasu

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the respondent police to register F.I.R on the complaint dated 21.07.2021 and investigate the matter in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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.

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4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-VI)

// True Copy //

Sub Assistant Registrar

Jeni

To

The Inspector of Police,
K-11, Police Station,
Koyambedu,
Chennai - 600 107.

Copy to
The Public Prosecutor, High Court, Madras.

CRL.O.P.No.19156 of 2021

SS(CO)
B.VC (29/10/2021)