



WEB COPY

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.19044 of 2021

A.Perumal

... Petitioner

Versus

1.The Superintendent of Police,
Villupuram,
Villupuram District - 605 602.

2.The State of Tamil Nadu,
Rep. by the Sub Inspector of Police,
East Pondy Road,
Vikravandi Taluk,
Villupuram District - 605 602.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register the petitioner's complaint dated 24.11.2020 against K.Ganesan.

For Petitioner : Ms.S.Sasikala

For Respondents: Mr.R.Vinoth Raja
Government Advocate (Crl.Side)

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O R D E R

This petition has been filed to direct the second respondent to register the petitioner's complaint dated 24.11.2020 against K.Ganesan.

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 Cr1 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(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Villupuram,
Villupuram District - 605 602.

2.The Sub Inspector of Police,
East Pondy Road,
Vikravandi Taluk,
Villupuram District - 605 602.

3.The Public Prosecutor
High Court, Madras.

+1cc to Ms.S.Sasikala, Advocate, S.R.No.53997

CRL.O.P.No.19044 of 2021

GPL(CO)
CB(01/11/2021)