



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.19063 of 2021

Mrs.C.Govindammal

... Petitioner

Versus

1. The State of Tamil Nadu,
represented by
The Superintendent of Police,
Thiruvallur District - 602 105.
2. The Inspector of Police,
B-5, Sevvapet Police Station,
Thiruvallur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to direct the respondent police to register the FIR based on the complaint of the petitioner dated 09.08.2021 in CSR No.619 of 2021 dated 10.08.2021 and investigate the case expeditiously.

For Petitioner : Mr.V.Rajasekar

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

O R D E R

This petition has been filed to issue a direction to direct the respondent police to register the FIR based on the complaint of the petitioner dated 09.08.2021 in CSR No.619 of 2021 dated 10.08.2021 and investigate the case expeditiously.

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 her 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-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Thiruvallur District - 602 105.
2. The Inspector of Police,
B-\$, Sevvapet Police Station,
Thiruvallur District.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.V.Rajasekar, Advocate, S.R.No.53858

CRL.O.P.No.19063 of 2021

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