



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.19253 of 2021

R.V.Dineshkumar

...Petitioner/Complainant

Versus

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

2. The State by
Inspector of Police,
District Crime Branch,
2nd, BSNL Office,
Alagesan Nagar,
Chengalpattu Town,
Chengalpattu District.

3. Tmt Vasanthi

4. G.Sivagnanam

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct 2nd respondent to register the F.I.R for the petitioner's complaint dated 11.08.2021 on the file of the 2nd respondent by appreciating the above stated facts and circumstances.

For Petitioner : Mr.R.Sudha

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.Side)
for R1 and R2

ORDER

This petition has been filed to direct the respondent to register the complaint based on the petitioner complaint in CSR.No.90/2020 dated on 18.03.2020 and investigate the matter in accordance with the 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 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

Jeni
To

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

2. The Inspector of Police,
District Crime Branch,
2nd, BSNL Office,
Alagesan Nagar,
Chengalpattu Town,
Chengalpattu District.

3. The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

+1 cc to M/s.R.Sudha, Advocate Sr.No.55937(15/12/2021)

CRL.O.P.No.19253 of 2021

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NSK 01/11/2021