

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.01.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P. No.20765 of 2020

C.N.Selvakumar

.. Petitioner

.vs.

1. The State rep. By
Superintendent of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.
2. The Deputy Superintendent of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.
3. The Inspector of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Police to take further necessary and serious actions against the accused persons based on the complaint lodged by the petitioner herein on under their Ref: C.No.32/H2/SC-Gri/ALGSC/Kgi/2020 dated 12.02.2020 pending on their file within a time frame fixed by this Court.

For Petitioner : Mr. C.Saravanan

For Respondents: Mr.M.Mohamed Riyaz,
Addl. Public Prosecutor

ORDER

This petition has been filed to direct the respondent to direct the respondent Police to take further necessary and serious actions against the accused persons based on the complaint lodged by the petitioner herein on under their Ref: C.No.32/H2/SC-Gri/ALGSC/Kgi/2020 dated 12.02.2020 pending on their file within a time frame fixed by this Court.

2.Heard the learned counsel for the petitioner and the learned Addl. 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 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.

This Criminal Original Petition is disposed of accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

msr

To

1. The Superintendent of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.
2. The Deputy Superintendent of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.
3. The Inspector of Police,
Anti-Land Grabbing Special Cell,
Krishnagiri, Krishnagiri District 635 001.
4. The Public Prosecutor,
High Court of Madras,

CrI.O.P. No.20765 of 2020

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