

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.20423 of 2020

Devasundari

...Petitioner

vs.

State rep. by  
Inspector of Police  
All Women Police Station,  
Puducherry.  
(CSR No.10/ 2020)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register the complaint dated 16.11.2020 and take proper action against the accused persons.

For Petitioner : Mr.A.Arasu Ganeshan

For Respondent : Mr.Mohammed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent Police to register a case based on the petitioner's complaint dated 16.11.2020, pending on the file of the respondent Police.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

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 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

//True Copy//

Sub Assistant Registrar

jv

To

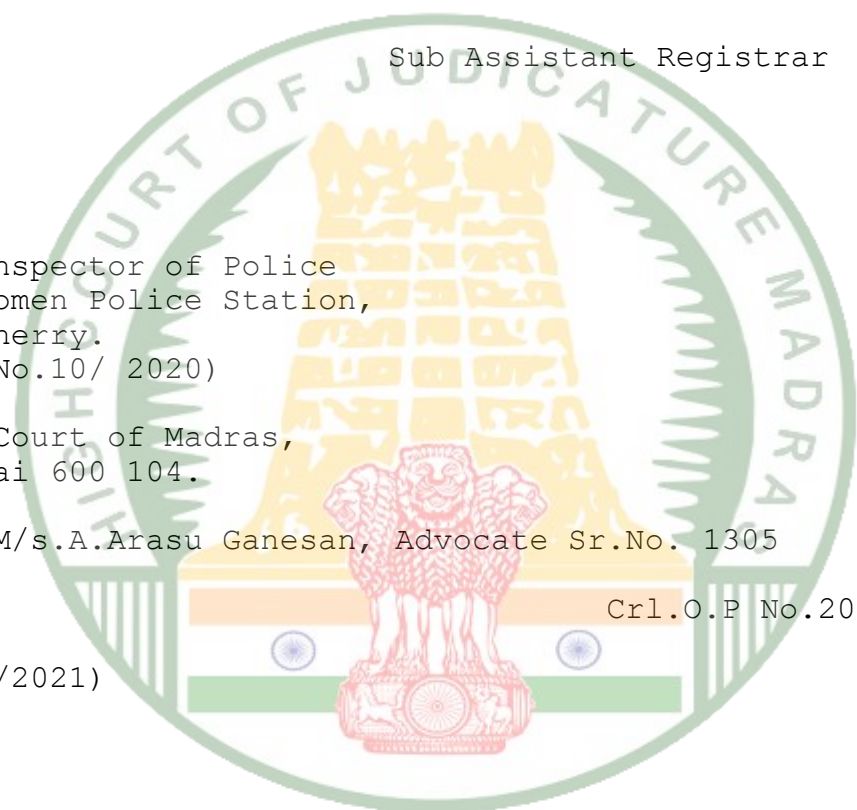
1. The Inspector of Police  
All Women Police Station,  
Puducherry.  
(CSR No.10/ 2020)

2. High Court of Madras,  
Chennai 600 104.

+1 cc to M/s.A.Arasu Ganesan, Advocate Sr.No. 1305

Cr1.O.P No.20423 of 2020

AK(CO)  
RMP (03/02/2021)

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital in front of it. The lion capital is flanked by two red horses. Below the lion capital is a red wheel. The entire emblem is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the emblem. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

सत्यमेव जयते

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