

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P. No.20834 of 2020

G.Sadagopan

..Petitioner

.vs.

1. The Commissioner of Police,
Vepery, Chennai-7.
2. The Assistant Commissioner of Police,
Ennore Range, Ennore, Chennai - 57.
3. The Inspector of Police,
M7, Manali New Town Police Station,
Chennai.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register a First Information Report on the petitioner's complaint dated 09.02.2020.

For Petitioner : Mr.R.C.Manoharan

For Respondents: Mr.M.Mohamed Riyaz, (Crl.Side)

Additional Public Prosecutor

ORDER

This petition has been filed to direct the 2nd respondent to register a First Information Report on the petitioner's complaint dated 09.02.2020.

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

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

//True Copy//

ssr

Sub Assistant Registrar

To

1. The Commissioner of Police,
Vepery, Chennai-7.
2. The Assistant Commissioner of Police,
Ennore Range, Ennore, Chennai - 57.
3. The Inspector of Police,
M7, Manali New Town Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P. No.20834 of 2020

br (CO)
rv (04/02/2021)

सत्यमेव जयते

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