

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.01.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.20784 of 2020

E.Vasanth

.. Petitioner

Vs.

The Inspector of Police,
Anti Vice Squad, (AVS-I)
No.5, Laypoint, Chindaripet,
Chennai.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to issue direction, directing the respondent to register the First Information report on the petitioner complaint dated 16.12.2020 pending on his file.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register the First Information report on the petitioner complaint dated 16.12.2020 pending on his file.

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 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.

Sd/-

Assistant Registrar(cs ii)

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ssr
To

Sub Assistant Registrar

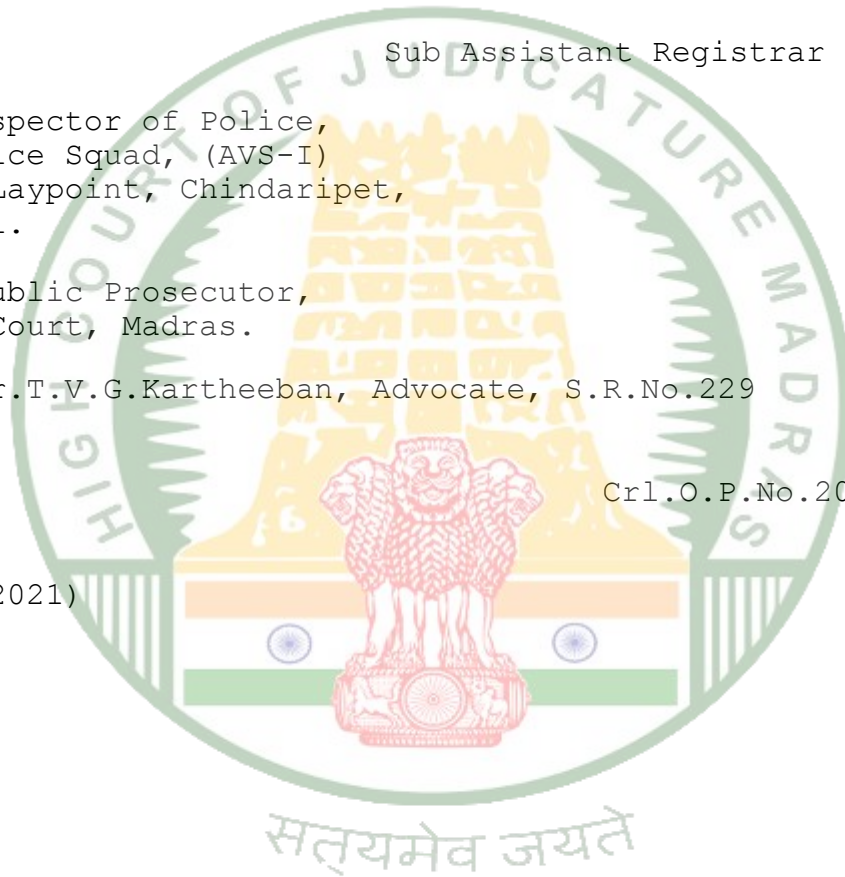
1. The Inspector of Police,
Anti Vice Squad, (AVS-I)
No.5, Laypoint, Chindaripet,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.V.G.Kartheeban, Advocate, S.R.No.229

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nmi (CO)
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