



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21221 of 2021

Nagarajan

...Petitioner

Vs.

1. The Inspector of Police,
Selaiyur Police Station,
Chennai - 600 059.

2. The Commissioner of Police,
The Greater Chennai,
EVK Sampath Road, Vepery,
Chennai.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the First Information Report on the complaint dated 04.10.2021 of the petitioner.

For Petitioner : Mr.A.Raghuraman

For Respondents : Mr.R.Vinothraja
Government Advocate[Crl. Side]

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register the First Information Report on the complaint dated 04.10.2021 of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents.

3. This petition is not maintainable, in view of the Order passed by the 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

rgi

To

1. The Commissioner of Police,
The Greater Chennai,
EVK Sampath Road, Vepery,
Chennai.
2. The Inspector of Police,
Selaiyur Police Station,
Chennai - 600 059.
3. The Public Prosecutor
High Court, Madras.

CRL.O.P.No.21221 of 2021

PM[co]
NSK 01/12/2021