

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.01.2021
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
Crl.O.P. No.21084 of 2020

S.Anitha

.. Petitioner

.vs.

State Rep. by
The Superintendent of Police,
The District Superintendent of Police Office,
Sasthri Nagar, Angeripalayam,
Tiruppur.

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the case against Muneeswaran on the basis of the petitioner's complaint dated 28.11.2020.

For Petitioner : Mr.P.Jayachandran

For Respondent : Mr.M.Mohamed Riyaz, (Crl.Side)
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the case against Muneeswaran on the basis of the petitioner's complaint dated 28.11.2020.

2.Heard the learned counsel 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 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.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

ssr

To

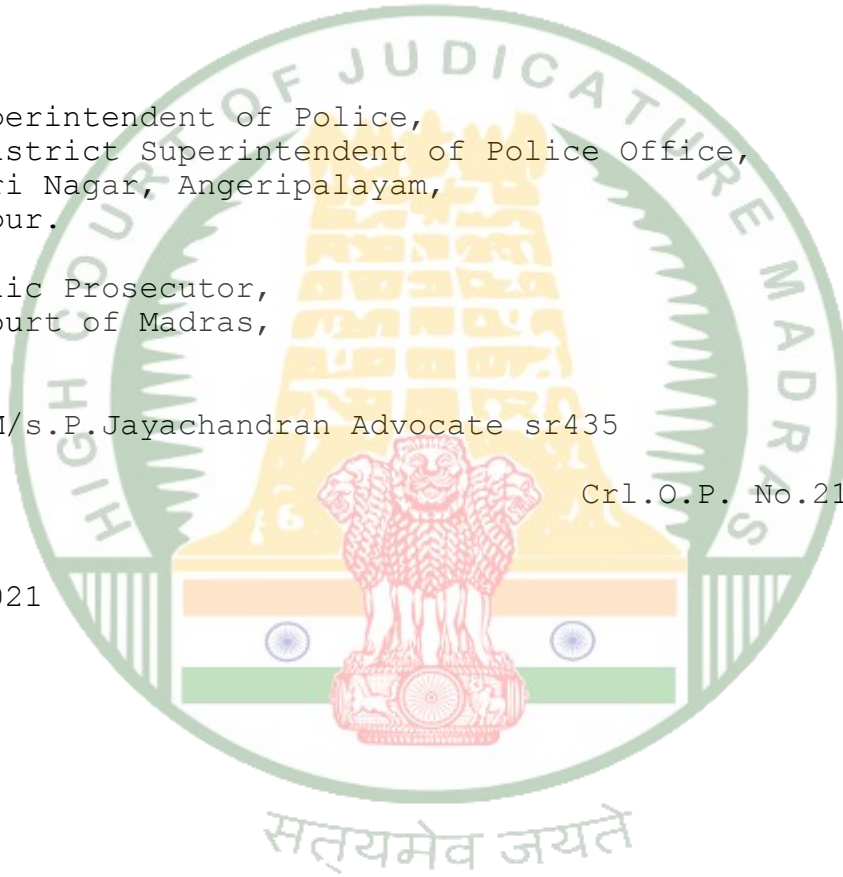
1. The Superintendent of Police,
The District Superintendent of Police Office,
Sasthri Nagar, Angeripalayam,
Tiruppur.

2. The Public Prosecutor,
High Court of Madras,
Madras.

+1 cc to M/s.P.Jayachandran Advocate sr435

Cr1.O.P. No.21084 of 2020

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