



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.20618 of 2021

L.Paramasivam

... Petitioner

Versus

- 1.The Superintendent of Police,
SP Office, Namakkal,
Namakkal District - 637 003.
- 2.The Deputy Superintendent of Police,
DSP Office, Rasipuram,
Namakkal District - 637 505.
- 3.The Inspector of Police,
Rasipuram Police Station,
Rasipuram, Namakkal - 637 408.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction directing the third respondent herein to register the FIR based on complaint dated 04.10.2021, to investigate into the same.

For Petitioner : Mr.V.Ramanareddy

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

O R D E R

This Criminal Original Petition has been filed to direct the third respondent herein to register the FIR based on complaint dated 04.10.2021, to investigate into the same.

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 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rgi

To

- 1.The Superintendent of Police,
SP Office, Namakkal,
Namakkal District - 637 003.
- 2.The Deputy Superintendent of Police,
DSP Office, Rasipuram,
Namakkal District - 637 505.
- 3.The Inspector of Police,
Rasipuram Police Station,
Rasipuram, Namakkal - 637 408.
- 4.The Public Prosecutor
High Court, Madras.

+1cc to M/s.V.Ramanareddy, Advocate SR. No.59110

CRL.O.P.No.20618 of 2021

KSM (CO)
PR (30/11/2021)