



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.20089 of 2021

Panjali

... Petitioner

Versus

State rep. by

1.The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Royakkottai Police Station,
Krishnagiri District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to register the petitioner's complaint dated 04.10.2021 and investigate the same in accordance with law.

For Petitioner : Mr.A.Balamurugan

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

ORDER

This Criminal Original Petition is filed to direct the second respondent police to register the petitioner's complaint dated 04.10.2021 and investigate the same in accordance with law.

2.The learned counsel appearing for the petitioner submits that there is a dispute between the petitioner's family and his relatives with regard to the inherent of the property. The petitioner had been harvesting groundnut, at that time his relatives opposed the same and created problem. Now the respondent police compelling the petitioner to agree to the terms and to sign a statement made by them as though no such occurrence is taken place. Hence she filed this petition.

3.Heard the learned counsel for the petitioner and the



learned Government Advocate appearing on behalf of the respondents.

4.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 Cr1 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 her remedy as per the directions issued by the Division Bench in the order referred supra.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ah

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Royakkottai Police Station,
Krishnagiri District.

3.The Public Prosecutor
High Court, Madras.

CRL.O.P.No.20089 of 2021

RSV(CO)
SB(17/11/2021)