

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21145 of 2020

K.Saravanan

.. Petitioner

.vs.

State by

.. Respondent

The Inspector of Police,
T.6, Avadi Police Station,
Chennai - 54.

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register the complaint and take the proper action against the accused on the complaint given by the petitioner dated 10/12/2020.

For Petitioner : Mr.A.Arasu Ganesan

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

ORDER

This petition has been filed to direct the respondent police to register the complaint and take the proper action against the accused on the complaint given by the petitioner dated 10/12/2020.

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 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 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 III)

// True Copy //

Sub Assistant Registrar

ssr

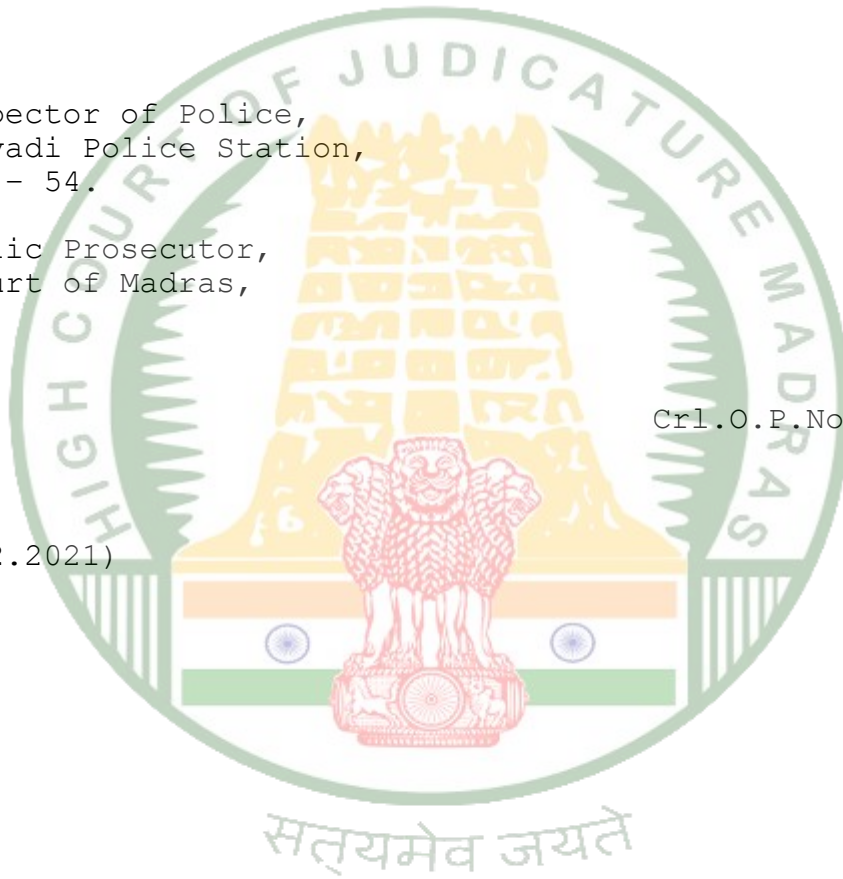
To

1.The Inspector of Police,
T. 6, Avadi Police Station,
Chennai - 54.

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

Cr1.O.P.No.21145 of 2020

RSV (CO)
UMY (12.02.2021)



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