



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.11.2021
CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20579 of 2021

Bhakthavatchalam ... Petitioner/Defacto Complainant

Versus

The Inspector of Police
Natrampalli Police Station
Thirupathur District.
(CSR.No.680 of 2021)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue suitable direction to the respondent police herein viz., the Inspector of Police, Natrampalli Police Station, Thirupathur District to register the case on the petitioner's complaint dated 24.10.2021 and file a final report in accordance with law.

For Petitioner : Mr.S.Sasikumar
For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed to to issue suitable direction to the respondent police herein viz., the Inspector of Police, Natrampalli Police Station, Thirupathur District to register the case on the petitioner's complaint dated 24.10.2021 and file a final report in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor 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 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.

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Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Inspector of Police
Natrampalli Police Station
Thirupathur District.
(CSR.No.680 of 2021)

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.20579 of 2021

NMI (CO)
A.SK(30.11.2021)