



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20811 of 2021

Visu.M

... Petitioner

Versus

1. The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai - 600 078.
2. The Asst Commissioner of Police,
Ashok Nagar,
Chennai - 600 024.
3. The Deputy Commissioner of Police,
T-Nagar,
Chennai - 600 017.
4. The Commissioner of Police,
Greater Chennai Police,
No.132, E.V.K. Sambath Road,
Vepery, Chennai - 600 007.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent police to register the complaint dated 11.10.2021.

For Petitioner:Mr.P.P.Prakash Paul

For Respondent:Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first respondent police to register the complaint dated 11.10.2021.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) 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.

4. This Criminal Original Petition is disposed of accordingly.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

dna/rgi
To

1. The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai - 600 078.
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Vepery,
Chennai - 600 007.



5.The Public Prosecutor,
High Court, Madras.

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CRL.O.P.No.20811 of 2021

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srg 30/11/2021