



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20854 of 2021

R. Vinitha

... Petitioner

Vs.

The State Rep by
Sub-Inspector of Police,
All Women Police Station,
Virudhachalam Taluk,
Cuddalore District - 606 001.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register an FIR based on the petitioner complaint dated 24.08.2021.

For Petitioner : Mr.K.Jayabalan

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent to register an FIR based on the petitioner complaint dated 24.08.2021.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondent.

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 her 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 (CO)

//True Copy//

Sub Assistant Registrar

rgi

To

1.The Sub-Inspector of Police,
All Women Police Station,
Virudhachalam Taluk,
Cuddalore District - 606 001.

2.The Public Prosecutor
High Court, Madras.

CRL.O.P.No.20854 of 2021

PM (CO)

PR (02/12/2021)