



Crl.O.P.No.21421 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.21421 of 2021

S. Thandayuthabani

... Petitioner

Versus

1. The State

Represented by
The Inspector of Police,
Kodacherry Police Station,
Thiruvarur District,
Tamil Nadu.

2. The District Superintendent of Police,
The District Superintendent of Police Office,
Thiruvarur District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register F.I.R in pursuant to the CSR registered in No.168/2021 and to investigate the case expeditiously and to take further action in accordance with law.

For Petitioner	:	Mr.S. Thiruvengadam
For Respondents	:	Mr.R. Vinothraja Government Advocate(crl.side)



Crl.O.P.No.21421 of 2021

WEB COPY

ORDER

This petition has been filed seeking direction to the respondent police to register F.I.R in pursuant to the CSR registered in No.168/2021 and to investigate the case expeditiously and to take further action in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) appearing on behalf of the respondents.

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 Crl 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



Crl.O.P.No.21421 of 2021

provided under Section 154 (3) of Cr.P.C., and Section 156 (3) of Cr.P.C.

WEB COPY

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.

19.11.2021

Index: Yes/No

Internet: Yes/No

arr/shk

To

1. The State

Represented by
The Inspector of Police,
Kodacherry Police Station,
Thiruvarur District,
Tamil Nadu.

2. The District Superintendent of Police,
The District Superintendent of Police Office,
Thiruvarur District.

3.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.21421 of 2021

M.NIRMAL KUMAR, J.

arr/shk

CRL.O.P.No.21421 of 2021

19.11.2021