



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1362 of 2022

M.B.Abdul Vathooth

... Petitioner

Vs.

The Inspector of Police,
F-2 Police Station,
Egmore,
Chennai 8.

... Respondent

PRAYER: The Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, pleaded to direct the respondent to register the FIR on the petitioner's complaint dated 16.11.2020 in C.S.R.No.578 of 2020.

For Petitioner:Ms.N.Premalatha

For Respondent:Mr.V.Meghanathan
Government Advocate (Crl. Side)

O R D E R

The Criminal Original Petition has been filed to direct the respondent to register the First Information Report based on the petitioner's complaint dated 16.11.2020 in C.S.R.No.578 of 2020.

2. Heard the learned counsel and perused the materials available on record.

3. This petition is not maintainable, in view of the Order passed by a Hon'ble 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 Hon'ble Division Bench in the order referred supra.

WEB COPY

4.This Criminal Original Petition is disposed of accordingly.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

vkx
To

1.The Inspector of Police,
F-2 Police Station,
Egmore,
Chennai 8.

2.The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.1362 of 2022

pmk[col]
srg 25/03/2022