



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.1336 of 2022

M/s.Dolphin Tailors,
Represented by its Proprietor,
Mr.S.Perumal.

... Petitioner

Vs.

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Vepery, Chennai-600 007.
2. The Deputy Commissioner of Police,
O/o. The Commissioner of Police,
Central Crime Branch,
Cheating, Forgery & Fraud Department,
Vepery, Chennai-600 007.
3. The Inspector of Police,
O/o. The Commissioner of Police,
Central Crime Branch,
Cheating, Forgery & Fraud Department,
EDF-, Team-21,
Vepery, Chennai-600 007.

... Respondents

PRAYER: The Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, pleased to direct the third respondent to register a case on the petitioner complaint dated 19.05.2021 given by the petitioner.

For Petitioner : Mr.P.K.Ganesh
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Criminal Original Petition has been filed to direct the respondent to register the complaint letter dated 19.05.2021 according to law.

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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rgm/mrn
To

1. The Commissioner of Police,
O/o.The Commissioner of Police,
Veperiy, Chennai-600 007.
2. The Deputy Commissioner of Police,
O/o. The Commissioner of Police,
Central Crime Branch,
Cheating, Forgery & Fraud Department,
Veppery, Chennai-600 007.
3. The Inspector of Police,
O/o. The Commissioner of Police,
Central Crime Branch,
Cheating, Forgery & Fraud Department,
EDF-, Team-21, Veppery, Chennai-600 007
4. The Public Prosecutor,
High Court of Madras.

1cc to Mr.P.K.Ganesh, Advocate, S.R.No.10605

CrI.O.P.No.1336 of 2022

MT(CO)
CT 16/03/2022