



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2684 of 2022

M/s.Manapuram Finance Ltd.,
No.76-83, Ram Complex, 1st floor,
Karuppamans Street, S.P.Pudhur,
Paramathi Road, Opp. Chellamba Gounder Park,
Represented by its Authorised signatory,
M.Maniyarasn

...Petitioner

-Vs-

1. The Superintendent of Police,
Namakkal.

2. The Inspector of Police,
Mohanur Police Station.

..Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the 2nd respondent Police to register a case on the basis of the complaint given by the petitioner dated 07.12.2021 against the above said person named in the complaint and investigate into the matter.

For Petitioner : Mrs.K.Sahithya

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

ORDER

This petition has been filed seeking direction to the 2nd respondent Police to register a case based on the petitioner's complaint dated 07.12.2021.

2. Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondents Police.

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 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 Division Bench in the order referred supra.

4.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The Superintendent of Police,
Namakkal.
2. The Inspector of Police,
Mohanur Police Station
- 3.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.2684 of 2022

PL(CO)
SB(17/02/2022)