



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2022

CORAM :

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2680 of 2022

Indhira

...Petitioner/Complainant

-Vs-

1. The Deputy Commissioner of Police,
Central Crime Branch,
E.V.K. Sampath Salai,
Vepery, Chennai - 600 007.

2. The Inspector of Police,
Central Crime Branch,
E.V.K. Sampath Salai,
Vepery, Chennai - 600 007.

..Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the 2nd respondent Police to register FIR based on the complaint given by the petitioner dated 08.12.2021 and investigate the matter in accordance with law.

For Petitioner : Mr.M.Mohamed Riyas

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

ORDER

This petition has been filed seeking direction to the 2nd respondent Police to register the FIR based on the complaint given by the petitioner dated 08.12.2021.

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 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



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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 Deputy Commissioner of Police,
Central Crime Branch,
E.V.K. Sampath Salai,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
Central Crime Branch,
E.V.K. Sampath Salai,
Vepery, Chennai - 600 007.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.2680 of 2022

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