



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2681 of 2022

Gowrin Jesu Kanitha

... Petitioner

-Vs-

The Inspector of Police,
W-28, Ambattur All Women Police Station,
Chennai.

.. Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the respondent Police to take action against her complaint in C.S.R.No.337 of 2021 dated 23.09.2021 and register the complaint and investigate the same in accordance with law.

For Petitioner : Mr.R.Muthukumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the respondent Police to register the complaint is C.S.R.No.337 of 2021 dated 23.09.2021.

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

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4.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vkr

To

1. The Inspector of Police,
W-28, Ambattur All Women Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Muthu Kumar, Advocate, S.R.No.8180

Cr1.O.P.No.2681 of 2022

RK(CO)
SU(17/02/2022)