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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.2668 of 2022

B.Praveen

...Petitioner

-Vs-

The State rep by
The Inspector of Police,
Ooty Rural Police Station,
Ooty, The Nilgiri District.

..Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, praying to direct the respondent Police to register complaint dated 29.09.2021.

For Petitioner : Mr.C.D.Johnson

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

ORDER

This petition has been filed seeking direction to the respondent Police to register the complaint dated 29.09.2021.

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 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 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.

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Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

vkr

To

1.The Inspector of Police,
Ooty Rural Police Station,
Ooty, The Nilgiri District.

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.2668 of 2022

SJ(CO)
SB(16/02/2022)