



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2022

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2966 of 2022

Ashok Kumar

... Petitioner

Vs.

State by,
Station House Officer,
Thavalakuppam Police Station,
Puducherry.

...Respondent

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to issue suitable direction to the respondent herein viz.,The Station House Officer, Thavalakuppam Police Station, Puducherry to register FIR on petitioner complaint dated 25.12.2021.

For Petitioner : Mr.K.Balu

For Respondent : Mr.M.Meganathan
Government Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the respondent herein viz.,The Station House Officer, Thavalakuppam Police Station, Puducherry to register FIR on petitioner complaint dated 25.12.2021.

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 Cr1 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-VIII)

// True Copy //

Sub Assistant Registrar

vri/shk

To:

- 1.The Superintendent of Police,
Thanjavur.
- 2.Station House Officer,
Thavalakuppan Police Station,
Puducherry.
- 3.The Public Prosecutor,
Madras High Court.

+1cc to Mr.K.Balu, Advocate SR.No.9959

Cr1.O.P.No.2966 of 2022

MT(CO)
CB(14/03/2022)