



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

CORAM

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

Crl.O.P.No.3607 of 2022

R.Balmanian

... Petitioner

Vs.

1.The Inspector of Police,
Shankar Nagar Police Station,
Pammal
Chennai 600 075.

2. P.Mohan

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to register the FIR complaint dated 15.12.2021 duly lodged by the petitioner before the respondent police.

For Petitioner : Mr.D.Ashok Kumar

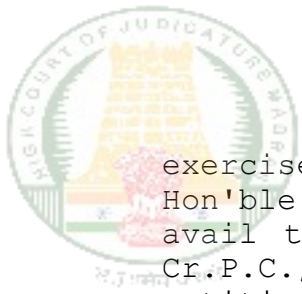
For Respondents : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent police to register the FIR on the complaint dated 15.12.2021, lodged by the petitioner before the respondent police.

2. Heard both sides 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 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 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(CO)

//True copy//

Sub Assistant Registrar

shk/sai

To

1.The Inspector of Police,
Shankar Nagar Police Station,
Pammal
Chennai 600 075.

2.The Public Prosecutor,
Madras High Court.

+1cc to Mr.D.Ashok Kumar, Advocate SR.No.11853

Cr1.O.P.No.3607 of 2022

MT(CO)
GMY(17/03/2022)