



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3548 of 2022

S.Rani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kairlabath Police Station,
Ariyalur District.

... Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to direct the 1st respondent to register the petitioner's complaint dated 09.07.2021 issued in CSR.No.172/2021 by the 1st respondent/Kairlabath Police Station, Ariyalur District.

For Petitioner : Mr.Usha Ramman

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The criminal original petition has been filed to direct the 1st respondent to register the petitioner's complaint dated 09.07.2021 issued in CSR.No.172/2021 by the Kairlabath Police Station, Ariyalur District.

2. When the matter is taken up today, the learned Additional Public Prosecutor would submit that the enquiry has been conducted in C.S.R.No.172 of 2021 and closed on 13.07.2021.

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's 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. Recording the same, this Criminal Original Petition stands closed. However, liberty is given to the petitioner to proceed in accordance with law.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

jas/tsh
To

1. The Inspector of Police,
Kairlabath Police Station,
Ariyalur District.
2. The Public Prosecutor,
High Court of Madras.

+1cc to M/s.Usha Ramman, Advocate Sr.11157

Cr1.O.P.No.3548 of 2022

gp[col]
srg 09/03/2022