



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3577 OF 2022

Venkatesan

... Petitioner

.Vs.

The State Rep. by its:
The Inspector of Police,
Banavaram Police Station,
Vellore District.

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register the complaint dated 18.12.2020 made by the Petitioner to the Respondent and pass suitable orders therefore in the nature and circumstance of the case.

For Petitioner : Mr.M.Mani Gopi

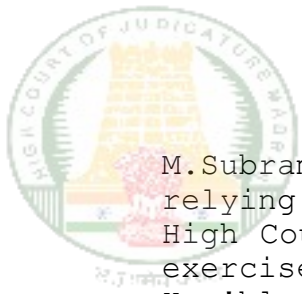
For Respondent : Mr.V.Meganathan
Government Advocate
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondent to register the complaint dated 18.12.2020 made by the Petitioner to the Respondent.

2. Heard the 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,
Banavaram Police Station,
Vellore District.
2. The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.M.Mani Gopi, Advocate, S.R.No.10900

CRL.O.P.NO.3577 OF 2022

MT(CO)
PBS/18/03/2022