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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3722 of 2022

M.I.Mohamed Shafi Quraishi

... Petitioner

Vs.

The State represented by its,
Inspector of Police (Crime),
S-11, Tambaram Police Station,
Chennai - 600 045.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to register the First Information Report based on the petitioner's complaint dated 21.01.2022.

For Petitioner : Mr.K.Sadanantham

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to register the First Information Report based on the petitioner's complaint dated 21.01.2022.

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 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 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.

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4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ham/rgi

To

1. The Inspector of Police (Crime),
S-11, Tambaram Police Station,
Chennai - 600 045.
2. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.3722 of 2022

MT(CO)
SU(21/03/2022)