



WEB COPY

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.3900 of 2022

M.Ramalingam,
S/o.Manikkam

... Petitioner

Vs

1.The Superintendent of Police,
Tiruvannamalai District.

2.The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the petitioner's complaint dated 01.02.2021 and investigate the matter in accordance with law.

For Petitioner : Mr.V.Elango

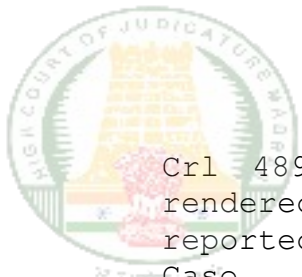
For Respondents: Mr.V.Meghanathan
Government Advocate
(Criminal Side)

ORDER

This petition has been filed seeking for a direction, to direct the respondent to register the petitioner's complaint dated 01.02.2021 and investigate the matter in accordance with the law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondents.

3. This petition is not maintainable, in view of the Order passed by a 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 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 Division Bench in the order referred supra.

4.This Criminal Original Petition is disposed of accordingly.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

shk/arb
To

1.The Superintendent of Police,
Tiruvannamalai District.

2.The Inspector of Police,
Pachal Police Station,
Tiruvannamalai District.

3.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.V.Elango, Advocate Sr.11439

Cr1.O.P.No.3900 of 2022

ssv[co]
srg 17/03/2022