



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM

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

CRL.O.P.NO.3509 OF 2022

M.Karthika

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Commissioner of Police,
Salem City, Salem - 636 006.
2. The Inspector of Police,
Annathanapatti Police Station,
Salem.

... Respondents

PRAYER:

This Criminal Original Petition filed under Section 482 Cr.P.C., directing the respondents to register the case on the complaint of the petitioner dated 17.12.2021 and investigate the same in accordance with law.

For Petitioner : Mr.G.K.M.Appaji

For Respondents: Mr.V.Meganathan

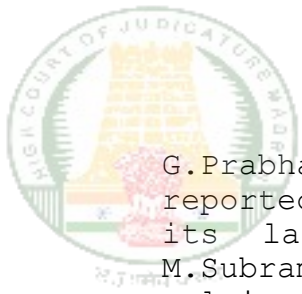
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed, to direct the respondents to register the case on the complaint of the petitioner dated 17.12.2021 and investigate the same in accordance with law.

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 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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

arb/shk

To

1. The Commissioner of Police,
Salem City, Salem - 636 006.
2. The Inspector of Police,
Annathanapatti Police Station,
Salem.
3. The Public Prosecutor,
Madras High Court.

+1cc to Mr.G.K.M.Appaji, Advocate, S.R.No.11140

CrI.O.P.No.3509 of 2022

KG(CO)
PM/02/03/2022