



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3825 OF 2022

M.D.Samuel

... Petitioner

.Vs.

1. The Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
Valasaravakkam Police Station,
Chennai - 600 087.

... Respondents

PRAYER:-

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to register the petitioner's complaint dated 31.10.2019.

For Petitioner : Mr.S.Suresh

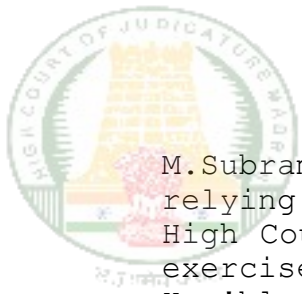
For Respondents : Mr.V.Meghanathan
Government Advocate
(Criminal Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent to register the petitioner's complaint dated 31.10.2019.

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.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mkn

To

1. The Commissioner of Police,
Vepery, Chennai - 600 007.
2. The Inspector of Police,
Valasaravakkam Police Station,
Chennai - 600 087.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Balasing Ramanujam, Advocate, S.R.No.15585

CRL.O.P.NO.3825 OF 2022

AK-II(CO)
PBS/21/03/2022