



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.3536 OF 2022

K.Balu @ Balakrishnan

...Petitioner

Vs.

1.The Assistant Commissioner of Police,
T4, Maduravoyal Police Station,
Maduravoyal, Chennai - 600 095.

2.The Sub Inspector of Police,
T4, Maduravoyal Police Station,
Chennai - 600 095.

...Respondents

PRAYER : This Criminal Original Petition filed under Section 482 Cr.P.C., directing the Sub-Inspector of Police, T4 Maduravoyal Police Station, Chennai - 600 095, to register an FIR on the complaint given by the petitioner on 29.01.2022 to the second respondent.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.V.Meganathan
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed, to direct the Sub-Inspector of Police, T4 Maduravoyal Police Station, Chennai- 600 095, to register an FIR on the complaint given by the petitioner on 29.01.2022 to the second respondent.

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 Assistant Commissioner of Police,
T4, Maduravoyal Police Station,
Maduravoyal, Chennai - 600 095.

2.The Sub Inspector of Police,
T4, Maduravoyal Police Station,
Chennai - 600 095.

3.The Public Prosecutor,
Madras High Court.

+1cc to Mr.K.Balakrishnan, Advocate Sr.No.10632

Cr1.O.P.No.3536 of 2022

KG(CO)
RVM(02/03/2022)