



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3588 of 2022

G.Surya

... Petitioner

Vs

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai 7.

2.State Represented by
Inspector of Police,
R-2, Kodambakkam Police Station (Crime)
Chennai.

... Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to register a complaint dated 22.01.2022 and pass such further or other orders as this Court may deem fit and proper in the circumstances.

For Petitioner : Mr.R.Balakrishnan

For Respondent : Mr.V.Meganathan,
Government Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the respondents to register the complaint dated 22.01.2022.

2. Heard the 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 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 II)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai 7.

2.The Inspector of Police,
R-2, Kodambakkam Police Station (Crime)
Chennai.

3.The Public Prosecutor,
Madras High Court,
Madras.

+1 cc to Mr.R.Balakrishnan, Advocate Sr.NO. 10946

CrI.O.P.No.3588 of 2022

pmk(CO)

A.SK(14/03/2022)