



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 23.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3994 of 2022

M.Priya

... Petitioner

Vs

1.The Commissioner of Police,
Office of the Commissioner of Police,
Avadi, Chennai 600 054.

2.The Inspector of Police,
T-6, Avadi Police Station,
Avadi, Chennai 600 054.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd Respondent to register the case on the basis of the Petitioner's complaint dated 20.10.2021 and to investigate into the matter in accordance with law.

For Petitioner : Mr.G.Pavendhan

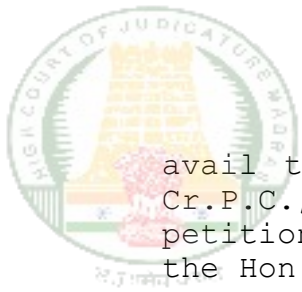
For Respondents: Mr.V.Meganathan,
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the 2nd Respondent to register the case on the basis of the Petitioner's complaint dated 20.10.2021 and to investigate into the matter in accordance with law.

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's 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.

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4. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

shk/sai
To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Avadi, Chennai 600 054.

2.The Inspector of Police,
T-6, Avadi Police Station,
Avadi, Chennai 600 054.

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

Crl.O.P.No.3994 of 2022

CP(CO)
A.SK(14/03/2022)