



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2022

CORAM

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

Crl.O.P.No.3898 of 2022

Sumathi @ Suganya,
D/o.Arumugam Pillai

...Petitioner

Vs.

1.The District Superintendent of Police,
Ranipet District, Ranipet.

2.The Deputy Superintendent of Police,
Ranipet, Ranipet District.

3.The State represented by the Inspector of Police,
All Women Police Station, Ranipet,
Ranipet District.

4.Siva Chidambaram @ Bharath

...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register a criminal case on the complaint dated 30.01.2021 given by the petitioner and conduct enquiry within a stipulated time and to take appropriate further action.

For Petitioner : Ms.N.Ilakkiya

For Respondents : Mr.V.Meganathan

Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed, to direct the third respondent to register a criminal case on the complaint dated 30.01.2021 given by the petitioner and conduct enquiry within a stipulated time and to take appropriate further action.

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 her 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

//True Copy//

Sub Assistant Registrar

shk/arb

To

1.The District Superintendent of Police,
Ranipet District, Ranipet.

2.The Deputy Superintendent of Police,
Ranipet, Ranipet District.

3.The Inspector of Police,
All Women Police Station, Ranipet,
Ranipet District.

4.The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.T.P. Prabakaran, Advocate sr 11733.

CrI.O.P.No.3898 of 2022

SPD(CO)

SP(15/03/2022)