



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.4103 OF 2022

T.Ramachandran,
S/o.Thangaiyah

...Petitioner

Vs.

State represented by its
The Inspector of Police,
Thirumangalam Police Station,
Anna Nagar, Chennai.
(CSR No.55 of 2022)

...Respondent

PRAYER : This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Inspector of Police, Thirumangalam Police Station, Anna Nagar, to register a FIR on the CSR No.55 of 2022 dated 20.01.2022 pending on the file of the respondent and proceed with the investigation as per law.

For Petitioner : Mr.R.Karthikeyan

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the Inspector of Police, Thirumangalam Police Station, Anna Nagar, to register a FIR on the CSR No.55 of 2022 dated 20.01.2022 pending on the file of the respondent and proceed with the investigation as per law.

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-VIII)

// True Copy //

Sub Assistant Registrar

arb/shk

To

1.The Inspector of Police,
Thirumangalam Police Station,
Anna Nagar, Chennai.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.Karthikeyan, Advocate Sr.No.11450

Cr1.O.P.No.4103 of 2022

GMR(CO)
RVM(17/03/2022)