



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.5396 OF 2022

K.Shanmugam

... Petitioner

Vs.

1. The State rep by
The Superintendent of Police,
Thiruvannamalai District,
Postal Pincode - 606 801.

2. The Inspector of Police,
E-3, Police Station,
Chetpet - 606 801,
Thiruvannamalai District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondents to register a F.I.R. upon the petitioner's complaint dated 23.01.2021.

For Petitioner : Mr.N.Nagarajan

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 respondents to register a F.I.R., upon the petitioner's complaint dated 23.01.2021.

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-VIII)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Superintendent of Police,
Thiruvannamalai District,
Postal Pincode - 606 801.
2. The Inspector of Police,
E-3, Police Station,
Chetpet - 606 801,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.5396 of 2022

PMK(CO)
RLP(22/03/2022)