



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5263 of 2022

M.Sharmila

...Petitioner

Vs.

1.The State by
The Superintendent of Police,
Vellore District.

2.The State by
Inspector of Police,
All Women Police Station,
Gudiyatham,
Vellore District.

...Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to register the Petitioner's complaint dated 29.12.2021.

For Petitioner : Mr.S.Anburaja

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 respondent police to register the Petitioner's complaint dated 29.12.2021.

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 Crl 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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai

To

1.The Superintendent of Police,
Vellore District.

2.The Inspector of Police,
All Women Police Station,
Gudiyatham,
Vellore District.

3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5263 of 2022

NRL (CO)
SP (18/03/2022)