



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

CORAM

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

Crl.O.P.No.5070 of 2022

Sagar Babu,
S/o.K.Balaiah

... Petitioner

Vs.

1.The State Represented by
The Deputy Commissioner of Police,
Anna Nagar Circle,
Anna Nagar,
Chennai - 600 040.

2.The Assistant Commissioner of Police,
Villivakkam,
Chennai.

3.The Inspector of Police,
V-4, Rajamangalam Police Station,
Rajamangalam,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register a case on the petitioner's complaint dated 20.11.2021 in accordance with law.

For Petitioner : Mr.P.Krishnan

For Respondents: Mr.V.Meghanathan
Government Advocate (criminal side)

ORDER

This Criminal Original Petition has been filed, to direct the third respondent to register a case on the petitioner's complaint dated 20.11.2021 in accordance with law.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (criminal side) for the respondents 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

// TRUE COPY //

SUB ASSISTANT REGISTRAR

shk/arb

To

- 1.The Deputy Commissioner of Police,
Anna Nagar Circle,
Anna Nagar,
Chennai - 600 040.
- 2.The Assistant Commissioner of Police,
Villivakkam,
Chennai.
- 3.The Inspector of Police,
V-4, Rajamangalam Police Station,
Rajamangalam,
Chennai.



4.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.P.Krishnan, Advocate Sr.15357

Cr1.O.P.No.5070 of 2022

nk[co]
srg 18/03/2022