



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.5102 of 2022

Jahufar Sathik,
S/o.Mohammed Faruk

... Petitioner

Vs.

1.The Commissioner of Police,
Avadi, Chennai.

2. State Represented by
The Inspector of Police,
T-2, Ambattur Industrial Estate Police Station,
Chennai - 600 058. ... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register the petitioner's complaint dated 21.02.2022.

For Petitioner : Mr.S.Suresh

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

ORDER

This Criminal Original Petition has been filed, to direct the third respondent to register the petitioner's complaint dated 21.02.2022.

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(CS-CCC)

//True copy//

Sub Assistant Registrar

shk/arb

To

1.The Commissioner of Police,
Avadi, Chennai.

2.The Inspector of Police,
T-2, Ambattur Industrial Estate Police Station,
Chennai - 600 058.

3.The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.5102 of 2022

RP(CO)
GMY(21/03/2022)