



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6341 of 2022

A.Mujibur Rahman

... Petitioner

Vs.

The Inspector of Police,
Town Police Station,
Karaikal.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to register the FIR, on the complaint given by the petitioners dated 10.10.2021 pending on the file of the respondent.

For Petitioner : Mr.K.Nirmal Kumar

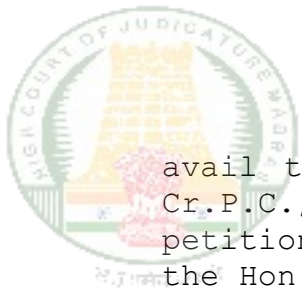
For Respondent : Mr.V.Balamurugane,
Public Prosecutor (Pondicherry)

O R D E R

The Criminal Original Petition has been filed seeking for a direction to the respondent to register the FIR, on the complaint given by the petitioner dated 10.10.2021 pending on the file of the respondent.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Pondicherry) 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's 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.

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4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1.The Inspector of Police,
Town Police Station,
Karaikal.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.N.Narayanaswamy, Advocate SR.No.19298

Cr1.O.P.No.6341 of 2022

PM(CO)
GN(01/04/2022)