

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7005 of 2022

P.Raj Thilak

... Petitioner

Vs

1. The Inspector of Police,
T-15, SRMC Police Station,
Ayyappanthangal,
Thiruvallur District.
2. The Inspector of Police,
W-30, All Women Police Station,
Poonamallee,
Thiruvallur District.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct any one of the respondent police to register the FIR on the petitioner's complaint dated 04.03.2021 pending on the file of the respondent police.

For Petitioner : Mr.B.Thiyagarajan

For Respondents : Mr.V.Meganathan,
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to direct any one of the respondent police to register the FIR on the petitioner's complaint dated 04.03.2021 pending on the file of the respondent police.

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

4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Inspector of Police,
T-15, SRMC Police Station,
Ayyappanthangal,
Thiruvallur District.
2. The Inspector of Police,
W-30, All Women Police Station,
Poonamallee,
Thiruvallur District.
3. The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.B.Thiyagarajan, Advocate, S.R.No.21294

Cr1.O.P.No.7005 of 2022

GMR(CO)
CT 11/04/2022