



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.6898 of 2022

A.Arasu

... Petitioner

Vs

The State rep. By
The Inspector of Police,
T-14, Mangadu Police Station,
Mangadu, Chennai.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to take necessary action for to register the FIR based on the complaint of the petitioner dated 12.03.2022, in CSR No.488 of 2022, dated 14.03.2022.

For Petitioner : Mr.V.Logeshwaren

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent to take necessary action to register the FIR based on the complaint of the petitioner dated 12.03.2022, in CSR No.488 of 2022, dated 14.03.2022.

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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai
To

1.The Inspector of Police,
T-14, Mangadu Police Station,
Mangadu, Chennai.

2.The Public Prosecutor,
Madras High Court,
Madras.

+1 CC to Mr.V.Logeshwaren, Advocate sr 20520.

Cr1.O.P.No.6898 of 2022

RSV(CO)
SP(11/04/2022)