



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9153 of 2022

Delphin Vinnarasi

... Petitioner

Vs.

The Sub Inspector of Police,
Selaiur Police Station, St. Thomas Mount,
Chengalpet District.

...Respondent

PRAYER: The Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to direct the respondent to register the complaint dated 05.04.2022 and to proceed in accordance with law.

For Petitioner : Ms.Thenmozhi Shivaperumal

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

O R D E R

The Criminal Original Petition has been filed seeking for a direction to the respondent to register the complaint dated 05.04.2022 and to proceed in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.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 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.

4. This Criminal Original Petition is disposed of accordingly.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

shk/sai
To

1.The Sub Inspector of Police,
Selaiur Police Station, St. Thomas Mount,
Chengalpet District.

2.The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.9153 of 2022

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