



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9266 of 2022

Jayammal

...Petitioner

Vs.

1. State of Tamil Nadu, rep. by
District Superintendent of Police,
Salem District.

2. Inspector of Police,
Tharamangalam Police Station,
Tharamangalam.

...Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to register a FIR with the Registered complaint dated 21.02.2022 lodged by the petitioner with the 2nd Respondent and complete investigation and file a final report within the period of fixed time by this Court.

For Petitioner : Ms.G.Ambika @Haritha

For Respondents : Mr.V.Meganathan,

Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed to register the FIR on the complaint dated 21.02.2022 lodged by the petitioner with the 2nd Respondent and complete investigation and file the final report.

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 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

nti/sai

To

- 1.The District Superintendent of Police,
Salem District.
2. The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam.
3. The Public Prosecutor,
High Court of Madras.

+1 CC to M/s. Ambika, Advocate sr 28133.

Cr1.O.P.No.9266 of 2022

SKM(CO)
SP(12/05/2022)