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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9755 of 2022

Sayyed Ghous

... Petitioner

Vs.

The Sub Inspector of Police,
Sathanur Dam Police Station,
Tiruvannamalai District.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to register the case on the basis of the petitioner's complaint dated 26.07.2021 vide CSR No.145 of 2021.

For Petitioner : Mr.M.G.Ramachandran

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 register the case on the basis of the petitioner's complaint dated 26.07.2021 vide CSR No.145 of 2021.

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.

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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,
Sathanur Dam Police Station,
Tiruvannamalai District.

2.The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.G.Ramachandran, Advocate Sr.29811

Cr1.O.P.No.9755 of 2022

sv[co]
srg 11/05/2022