



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.9256 of 2022

R.Mohana

... Petitioner

Vs.

1. The Superintendent of Police,
District Police Office,
Neethimedu,
Salem-636 002.

2. The Inspector of Police,
Deevattipatti Police Station,
Kadayampatty Taluk,
Salem District- 636 305.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent to register the FIR and pass such further or other orders.

For Petitioner : Mr.K.Anbuselvan

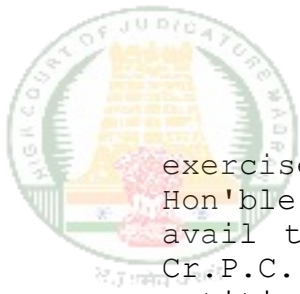
For Respondents : Mr.V.Meganathan,
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed to direct the 2nd respondent to register the FIR and pass such further or other orders.

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.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

nti/sai

To

1. The Superintendent of Police,
District Police Office,
Neethimedu,
Salem-636 002.
2. The Inspector of Police,
Deevattipatti Police Station,
Kadayampatty Taluk,
Salem District- 636 305.
3. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.9256 of 2022

SKM(CO)
CT 12/05/2022