



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.OP.No.9873 of 2022

Sulochana

...Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Thiruvallur,
Thiruvallur District.

2.The Deputy Superintendent of Police,
Uthukottai,
Thiruvallur,
Thiruvallur District.

3.The Inspector of Police,
Vengal Police Station,
Thiruvallur,
Thiruvallur District.

...Respondents/Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the third respondent to register the FIR in the petitioner's complaint dated 29.03.2022.

For Petitioner : Mr.R.Sasikumar

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

O R D E R

This Criminal Original Petition has been filed to direct the third respondent to register the FIR in the petitioner's complaint dated 29.03.2022.

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.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai

To

- 1.The Superintendent of Police,
Thiruvallur,
Thiruvallur District.
- 2.The Deputy Superintendent of Police,
Uthukottai,
Thiruvallur,
Thiruvallur District.
- 3.The Inspector of Police,
Vengal Police Station,
Thiruvallur,
Thiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras.

+1 CC to Mr.R.Sasikumar, Advocate sr 30836.

CrI.O.P.No.9873 of 2022

SJ(CO)
SP(09/05/2022)