

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.10016 OF 2022

P.Kolanchi

... Petitioner/Complainant

Vs.

1. The Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Veepur police Station,
Cuddalore District.

... Respondents/Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent to register the complaint of the petitioner dated 12.08.2021 in CSR No.696 of 2021, investigate the same and register FIR within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.Senthilnathan

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

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register the complaint of the petitioner dated 12.08.2021 in CSR No.696 of 2021, investigate the same and register FIR within a stipulated time as fixed by this Court.

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(CS-III)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Veepur police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Senthil Nathan, Advocate, S.R.No.30363

CrI.O.P.No.10016 of 2022

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