



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.10055 of 2022

M.Gopinath

... Petitioner

Vs.

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai District.

2. The Inspector of Police,
E-3 Teynampet Police Station,
Crime division, Chennai - 600 018.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent police to register the case on the petitioner's complaint dated 28.01.2022 according to law.

For Petitioner : Mr.B.Devakumar
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking to direct the 2nd respondent to register the case on the petitioner's complaint dated 28.01.2022 according to law.

2. Heard the learned counsel 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 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 of 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 stands disposed of accordingly.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai District.
2. The Inspector of Police,
E-3 Teynampet Police Station,
Crime division, Chennai - 600 018.
3. The Public Prosecutor,
Madras High Court.

Cr1.O.P.No.10055 of 2022

RK(CO)
A.SK(16/05/2022)