



WEB COPY

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.10209 of 2022

Chithra

..Petitioner

Vs.

1. The Commissioner of Police,
O/o.Commissioner of Police,
Greater Chennai,
Vepery, Chennai-600 007.

2. The Inspector of Police,
G-5, Kilpauk Police Station,
Kilpauk, Chennai.

...Respondents

PRAYER: The Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, praying to direct the respondent police to register the case on the complaint of the petitioner dated 07.03.2022 and file a FIR.

For Petitioner : M/s.Gajalakshmi Rajendran

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

O R D E R

The Criminal Original Petition has been filed to direct the respondent police to register the case on the complaint of the petitioner dated 07.03.2022 and file a First Information Report.

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 vs. 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 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 is disposed of accordingly.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

vkr/nr

To

1. The Commissioner of Police,
O/o.Commissioner of Police,
Greater Chennai,
Vepery, Chennai-600 007.
2. The Inspector of Police,
G-5, Kilpauk Police Station,
Kilpauk, Chennai.
3. The Public Prosecutor,
High Court of Madras.

Cr1.O.P.No.10209 of 2022

SS(CO)
SU(11/05/2022)