



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.10393 OF 2022

K.Nithyanandam

...Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
Central Criminal Branch-1,
No.132, Commissioner Office Building,
Vepery, Chennai - 600 007.

...Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to register the FIR based on the petitioner's complaint dated 17.08.2021.

For Petitioner : Mr.K.Sasindran

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents to register the FIR based on the petitioner's complaint dated 17.08.2021.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

3.This petition is not maintainable, in view of the Order passed by a Division Bench of this Court in G.Prabhakaran v. The Superintendent of Police, Thanjavur reported in (2018) 2 LW Cr1 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 Division Bench in the order referred supra.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar /
Vacation Officer

// True Copy //

Sub Assistant Registrar

ssr

To

- 1.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai - 600 007.
- 2.The Inspector of Police,
Central Criminal Branch-1,
No.132, Commissioner Office Building,
Vepery, Chennai - 600 007.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.K.Sasindran, Advocate Sr.No.31667

Crl.O.P.No.10393 of 2022

PA(CO)
RVM(26/05/2022)