



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.10872 of 2022

B.Vineela

... Petitioner

Vs.

1.The Commissioner of Police,
The Office of the Commissioner of Police,
Veppery,
Chennai.

2.The Deputy Superintendent of Police,
The Office of the Deputy Superintendent of Police,
Kilpauk,
Chennai.

3.The Inspector of Police,
All Women Police Station,
Kilpauk,
Chennai.

... Respondents

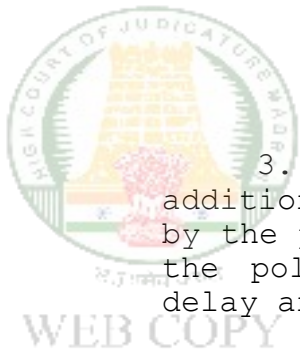
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 3 to take up the complaint dated 19.08.2020 and the representation dated 21.09.2021 and subsequently direct the 3rd respondent to take into investigation and register the FIR against the petitioner's husband Balaswamy Reddy and his parents J.L.Ramana Reddy and Revathy @ Annamma.

For Petitioner : Mr.G.Mohana Krishnan
For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 to take up the complaint dated 19.08.2020 and the representation dated 21.09.2021 and subsequently direct the 3rd respondent to take into investigation and register the FIR against the petitioner's husband Balaswamy Reddy and his parents J.L.Ramana Reddy and Revathy @ Annamma.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.



3. It is submitted by Mr.A.Gokulakrishnan, learned additional Public Prosecutor that based on the complaint given by the petitioner, enquiry in CSR No.63 of 2022 is pending and the police was conducted enquiry as per rules without any delay and take a call if cognizable offence is made out.

4. 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 her remedy as per the directions issued by the Hon'ble Division Bench in the order referred supra.

5. This Criminal Original Petition is dismissed accordingly and the respondent police is at liberty to file an FIR, otherwise, direct the parties to approach the Civil Court to workout their remedy as per law.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rgi/shk
To

- 1.The Commissioner of Police,
The Office of the Commissioner of Police,
Veppery,Chennai.
- 2.The Deputy Superintendent of Police,
The Office of the Deputy Superintendent of Police,
Kilpauk,Chennai.
- 3.The Inspector of Police,
All Women Police Station,
Kilpauk,Chennai.
- 4.The Public Prosecutor,
Madras High Court, Chennai.

+1 cc to Mr.G.Mohana Krishnan, Advocate Sr.NO. 32439

CrI.O.P.No.10872 of 2022