



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.05.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.11453 of 2022

M.Nagalakshmi

... Petitioner

Vs.

1.The Commissioner of Police,
EVR High Road,
Chennai - 600 007.

2.State represented by
The Inspector of Police,
Anti Land Grab Special Cell,
Chengalpet,
Chengalpet District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent police to register the case against the petitioner's complaint dated 20.04.2021.

For Petitioner	: Mr.K.S.Arumugam
For Respondents	: Mr.E.Raj Thilak Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent police to register the case against the petitioner's complaint dated 20.04.2021.

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 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 Division Bench in the order referred supra.



4.This Criminal Original Petition is disposed of accordingly.

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Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

SSr

To

1.The Commissioner of Police,
EVR High Road,
Chennai - 600 007.

2.The Inspector of Police,
Anti Land Grab Special Cell,
Chengalpet,
Chengalpet District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

+1 cc to Mr.K.S.Arumugam, Advocate Sr.NO. 31637
Cr1.O.P.No.11453 of 2022

SSI (CO)
A.SK(27/05/2022)