



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.11908 OF 2022

Divya

... Petitioner

.Vs.

1. The Commissioner of Police,
Greater Chennai Police Commissionerate,
Vepery, Chennai.

2. The Inspector of Police,
All Women Police Station,
Ashok Nagar,
Chennai.

... Respondents

PRAYER:-

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent viz., the Inspector of Police, All Women Police Station, Ashok Nagar, Chennai to register the petitioner's complaint dated 04.04.2022 and file a final report in accordance with law.

For Petitioner : Mr.S.Sasikumar

For Respondents : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for a direction the second respondent viz., the Inspector of Police, All Women Police Station, Ashok Nagar, Chennai to register the petitioner's complaint dated 04.04.2022 and file a final report in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 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 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'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 his remedy as per the directions issued by the Hon'ble Division Bench in the order referred supra.

4. This Criminal Original Petition is dismissed accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

shk/rgi

To

1. The Commissioner of Police,
Greater Chennai Police Commissionerate,
Vepery, Chennai.
2. The Inspector of Police,
All Women Police Station,
Ashok Nagar,
Chennai.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Sasikumar, Advocate, S.R.No.32363

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SR-II(CO)
PBS/14/06/2022