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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.24532 of 2021

Sulthan Alikhan

... Petitioner

Vs.

1. The District Superintendent of Police,
Villupuram District,
Villuppuram.

2. The Inspector of Police
Thiruvannainallur Police Station,
Villupuram District.

... Respondents

PRAYER: The Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to direct the respondents to register the FIR based on the petitioner's complaint on 01.12.2021 and 07.12.2021.

For Petitioner : Mr.M.Mohamed Riyas

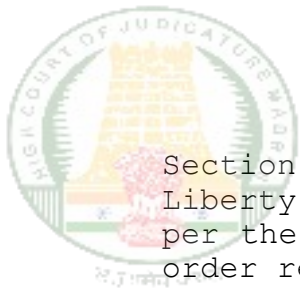
For Respondents : Mr.V.Meghanathan
Govt. Advocate (Crl. Side)

O R D E R

The Criminal Original Petition has been filed to direct the respondents to register the FIR based on the petitioner's complaint on 01.12.2021 and 07.12.2021.

2. Heard the learned counsels 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 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.

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4. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

nr/nti

To

1. The District Superintendent of Police,
Villupuram District,
Villuppuram.
2. The Inspector of Police
Thiruvannainallur Police Station,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.24532 of 2021

GPL (CO)
PR (04/04/2022)