



W.P.No.23342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.23342 of 2023

Anusuya
W/o.Kandasamy

.. Petitioner

Vs.

The State represented by its
Superintendent of Police,
West Villianur,
Puducherry.

..Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus directing the respondent police to register the complaint dated 23.06.2022 preferred by the petitioner and investigate the matter in accordance with law.

For Petitioner : Mr.G.Chandrasekhar

For Respondent : Mr.K.S.Mohandoss
Public Prosecutor (P)



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ORDER

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This petition has been filed to issue a Writ of Mandamus directing the respondent police to register the complaint dated 23.06.2022 preferred by the petitioner and investigate the matter in accordance with law.

2. Heard Mr.G.Chandrasekhar, learned counsel for petitioner and Mr.K.S.Mohandoss, learned Public Prosecutor (P) appearing on behalf of the respondent.

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



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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.

14.08.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
gm

To

1.The Superintendent of Police,
West Villianur,
Puducherry.

2.The Public Prosecutor (P)
High Court of Madras.



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N.ANAND VENKATESH, J

gm

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