

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 23-07-2026**

**CORAM**

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**CRL OP No. 19633 of 2026**

**and**

**CrI.MP.Nos.13016 & 13018 of 2026**

Kadhir Basha

..Petitioner(s)

Vs

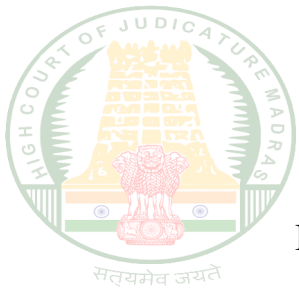
1. The State represented by  
The Deputy Superintendent of Police,  
Arakkonam Sub-Division,  
Kaveripakkam Police Station,  
Crime No.353 of 2018  
Vellore District.

2. The State represented by  
The Inspector of Police,  
Kaveripakkam Police Station,  
Crime No.353 of 2018,  
Vellore District.

3. Balaji A  
Village Administrative Officer,  
Eralacheri Village,  
Nemili Taluk, Vellore District.

..Respondent(s)

**PRAYER:** This criminal original petition filed under Section 528 of BNSS to call for the records pertaining to the Impugned Final Report in SPL.SC.No.98 of 2025 on the file of the learned Principal District Court, Ranipet and quash the same as illegal and pass any other orders which this Honble Court deem fit and proper to the circumstances of the case and thus render justice.



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For Petitioner(s):

Mr.S.J.Mohamed Sathik

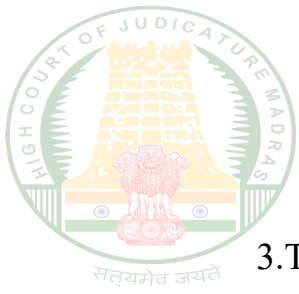
For Respondent(s):

Mr.M.Mohamed Riyaz  
Government Advocate  
(Criminal Side) For R1 & R2

**ORDER**

The prayer in the criminal original petition is to quash the final report in Spl.SC.No.98 of 2025 on the file of the learned Principal District Court, Ranipet.

2.Upon perusing the First Information Report, material collected during the investigation and the final report, the crux of allegation is that the petitioner is said to have engaged the members of Scheduled Tribe for the purpose of cutting Seemaikaruvelam Trees etc., and he paid them an advance of Rs.9,000/- each and did not allow them to go out and made a temporary tin shed residences and ask them to reside in the same place and was extracting work from them. In view thereof, it is alleged that the petitioner committed an offence punishable under sections 16, 17 and 18 of the Bonded Labour System (Abolition) Act 1976 (hereinafter referred to as Act) and it is further alleged that the petitioner also abused them by calling their caste name and therefore, the provisions of the SC/ST Prevention of Atrocities Act is also included.



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3.The learned counsel for the petitioner would submit that in this case, no enquiry as mandated under section 12 of the Act has been conducted by the District Magistrate or the Authorities. Secondly, without any further material or independent witnesses, merely on the *ipse dixit* of the labourers, who now want to extract more money from the petitioner, the case is registered. Without any other additional material, the final report is laid based on the stereotyped, computer copy paste statements recorded from the labours. The final report is also filed very belatedly in the year 2025, when the occurrence is said to be happened in the year 2019.

4.Per contra, the learned Government Advocate (Criminal Side) would submit that the enquiry under section 12 of the Act is with reference to implementing the Act and ensuring that there is no bonded labour. The said enquiry is not a *sine qua non* to launch a prosecution under sections 16,17,18 of the Bonded Labour System (Abolition Act) 1976, if per se the offence appears to have been committed.

5.I have considered the rival submissions made on either side and perused the material records of the case.



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6.As contented by the Government Advocate (Criminal Side) the enquiry under section 12 is for the purpose of effective implementation of the provisions of the Act to ensure that there is no bonded labour in every district. The said enquiry or the Enquiry report is not a *sine qua non* for launching a prosecution, if the petitioner is otherwise found to have violated the provisions. As far as the argument relating to independent witnesses etc., is concerned, the same relate to the strength of evidence and adequacy of evidence. The same cannot be subject matter for this Court, while considering the quash application. The only question is whether there is enough material to proceed against the accused and whether the averments made and made by the listed witnesses and the other materials collected point out towards commission of the offences. In view thereof, even with reference to the allegation under the SC/ST Prevention of Atrocities Act, whether any other person saw that or whether it was in the open public place or closed doors etc., are all factual issues to be tried out during the course of the trial.

7.In view thereof, keeping open the liberty of the petitioner to raise all these grounds during the course of the trial. This criminal original petition cannot be entertained and as such, disposed of. At this stage, the learned



counsel for the petitioner pleads hardship. Considering the plea made, the presence of the petitioner before the trial Court except for the hearings that may be insisted upon by the trial Court shall stand dispensed with. Consequently, connected miscellaneous petitions are closed.

**23-07-2026**

Neutral Citation: Yes/No  
sms

To

1. The learned Principal District Court, Ranipet
2. The Deputy Superintendent of Police,  
Arakkonam Sub-Division,  
Kaveripakkam Police Station,  
Crime No.353 of 2018  
Vellore District.
3. The Inspector of Police,  
Kaveipakkam Police Station,  
Crime No.353 of 2018,  
Vellore District.
4. The Public Prosecutor  
High Court, Madras.



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CRL OP No. 19633 of 2



**D.BHARATHA CHAKRAVARTHY, J.**

sms

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**and**  
**CrI.MP.Nos.13016 & 13018 of 2026**

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