



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2018

CORAM

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No. 5115 of 2018

WEB COPY

Veerayan

: Petitioner/Defacto Complainant

Vs.

1. The District Collector,
Office of the District Collector,
Thanjavur District.

2. The Inspector of Police,
Pappanadu Police Station,
Thajavur District.

3.S.Lenin

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the first respondent to appoint M/s.M.S.Vanaja as the Special Public Prosecutor for conduct the trial in S.S.C.No.13 of 2013, on the file of the learned I-Additional District and Sessions Judge (PCR), Thanjavur under Section 4(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and on the basis of the representation preferred by the petitioner, dated 16.03.2018 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For RR 1 and 2 : Mr.K.K.Ramakrishnan

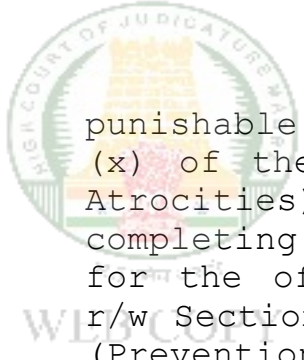
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the first respondent to appoint Ms.M.S.Vanaja as the Special Public Prosecutor for conduct the trial in S.S.C.No.13 of 2013, on the file of the learned I-Additional District and Sessions Judge (PCR), Thanjavur under Section 4(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and on the basis of the representation preferred by the petitioner, dated 16.03.2018 within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner; learned Additional Public Prosecutor appearing for the respondents 1 & 2 and perused the materials placed on record.

3. According to the learned counsel appearing for the petitioner, on the basis of the petitioner's complaint, the second respondent registered FIR in Crime No.155 of 2012 for the offences



punishable under Sections 147, 294(b), 427 IPC r/w Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the accused persons. Subsequently, after completing investigation, the second respondent filed charge sheet for the offences punishable under Sections 147, 294(b), 427 IPC r/w Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, before the Court concerned and the same has been taken on file as S.S.C.No.13 of 2013, on the file of the learned I-Additional District and Sessions Judge (PCR), Thanjavur. He further submitted that the Special Public Prosecutor did not give proper information as to the status of the case in S.S.C.No.13 of 2013 and also demanding money from the petitioner. Therefore, being the victim at the hands of the accused, the petitioner made a representation under Section 4 (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, before the first respondent on 16.03.2018 by requesting him to appoint one M.S.Vanaja as Special Public Prosecutor in the above said case.

4. According to the learned Additional Public Prosecutor the representation made by the petitioner is still pending before the first respondent/District Collector. Therefore, he made a submission that a direction may be given to the first respondent to consider the representation on merits and in accordance with law.

5. Considering the above said facts, without going to the merits of the case, this Court directs the first respondent to consider the petitioner's representation on merits and in accordance with law as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of the copy of this order.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Thanjavur District.

2. The Inspector of Police,
Pappanadu Police Station,

<https://hcservices.tn.gov.in/hcservices/> District.



3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Alagumani, Advocate Sr.No.59895

PJL

VB/SKN/RSK/SAR3/18/04/2018/3P/5C

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