



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.17702 of 2017

A.Solai

...Petitioner

Vs.

- 1.The Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George,
Chennai.
- 2.The District Collector,
Office of the District Collector,
Madurai District,
Madurai.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Alagar Koil Road,
Surveyor Colony,
Madurai.
- 4.The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District,
Madurai.

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C, to issue a direction to direct the respondent No.1 to appoint the Special Public Prosecutor Under Section 15 of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act 1989 in Special Case NO.29 of 2017 dated 28.09.2017 on the file of the III Additional District Court (PCR) Madurai within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathy Roy

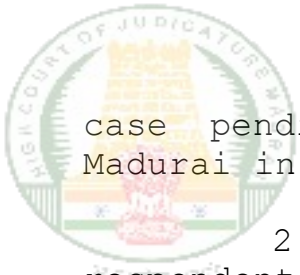
For Respondents: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.Side)

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>

This petition has been filed for a direction to the District Collector, to appoint a Special Public Prosecutor to conduct the



case pending before the III Additional District Court (PCR) Madurai in SC No.29 of 2017.

2.The petitioner has given a representation to the second respondent in this regard on 08.1.2017. This Court has already considered similar issue in Cr1OP(MD)No.5129 of 2016 by judgment dated 12.09.2018.

3.In view of the above, it is a right of the victim to specify a Special Public Prosecutor and after obtaining consent from the concerned Advocate, the respondent has to appoint the said person as a Special Public Prosecutor.

4.The petitioner is directed to make a fresh representation to the second respondent by specifying the name of the Advocate, to be appointed as a Special Public Prosecutor and on receipt of the same, the second respondent is directed to appoint the named Advocate as a Special Public Prosecutor to conduct the case in SC No.29 of 2017, pending on the file of the Special Public Prosecutor, Madurai, after obtaining consent from the concerned Advocate.

5.This Criminal original petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-III)

1.The Secretary,
Department of Home Affairs,
State of Tamil Nadu,
Fort St.George,
Chennai.

2.The District Collector,
Office of the District Collector,
Madurai District,
Madurai.

3.The Superintendent of Police,
Office of the Superintendent of Police,
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Madurai.



4.The Inspector of Police,
Melur Police Station,
Melur Taluk,
Madurai District,
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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.T.LAJAPATHY ROY, ADVOCATE IN SR NO.87321
DSK
BU/SKN/SAR-III :12.11.2018 : 3P/7C

Crl.O.P.(MD)No.17702 of 2017
26.09.2018