

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.03.2020

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THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.34410 of 2019

Velmurugan

... Petitioner

Vs

1.The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Deputy Superintendent of Police,
Thittagudi Sub-Division,
Cuddalore District.

3.The Sub Inspector of Police,
Siruppakkam Police Station,
Cuddalore District.
(Crime No.117 of 2019)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the first respondent to Appoint a Competent Investigation Officer as per SC/ST Prevention of Atrocities Act, 1989 Rule 7(2) in respect of Crime No.117 of 2019 on the file of Third respondent herein based on the representation of the petitioner dated 12.12.2019 in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

The petition has been filed to direct the first respondent to Appoint a Competent Investigation Officer as per SC/ST Prevention of Atrocities Act, 1989 Rule 7(2) in respect of Crime No.117 of 2019 on the file of Third respondent herein based on the representation of the petitioner dated 12.12.2019 in accordance with law.

2.On the compliant lodged by the petitioner, the 3rd respondent registered a case in Crime No.117 of 2019. The

learned counsel for the petitioner submitted that the 2nd respondent is the competent person to investigate the crime under the SC/ST Act. However, he has not been appointed. Hence, the petition.

3.However, the learned Additional Public Prosecutor submitted that the 2nd respondent being the competent person to investigate the crime under the SC/ST Act completed the investigation and filed a closure report before the concerned Judicial Magistrate - 1, Virudhachalam. On receipt of the same, the learned Magistrate also issued referred charge sheet notice. Therefore, the directions sought for in this petition cannot be granted.

4.In view of the submissions of the learned Additional Public Prosecutor,, this Criminal Original Petition is dismissed. However, since the protest petition in R.C.S.No.1/2020 has been filed by the petitioner, the learned Judicial Magistrate - 1, Virudhachalam is directed to proceed with the case in the manner known to law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Deputy Superintendent of Police,
Thittagudi Sub-Division,
Cuddalore District.

3.The Sub Inspector of Police,
Siruppakkam Police Station,
Cuddalore District.
(Crime No.117 of 2019)

4.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.34410 of 2019

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srg 29/07/2020



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