



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) No.4734 of 2020

Gandhamani

... Petitioner / Defacto Complainant

-vs-

1.The Superintendent of Police,
Trichy District.

2.The Deputy Superintendent of Police,
Musiri, Tiruchy District,

3.The Inspector of Police,
Thuraiyur Police Station,
Thuraiyur, Trichy District.

... Respondents

PRAYER: Petition filed under Section 482 of the Criminal Procedure Code to direct the respondents to alter the First Information Report in Crime No.333 of 2019 inserted the SC/ST Act Sections to withdraw the case on the file of the third respondent police and transfer investigation of the case in Crime No.333 of 2019 pending on the file of the third respondent police to any other competent authority under the direct supervision of the first respondent and to take further action within a reasonable time.

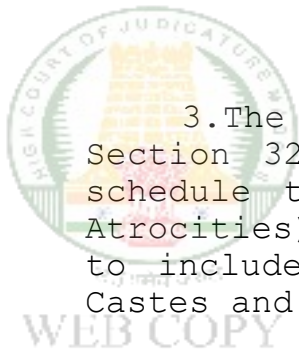
For Petitioner : Mr.K.Kevinkaran

For Respondents : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

Heard the learned counsel on either side.

2.The petitioner is the defacto complainant in Crime No.333 of 2019 on the file of the Thuraiyur Police Station, Trichy District. The First Information Report has been registered for the offences under Section 447, 294(b), 323, 427, 506(ii), 379 of IPC read with Section 4 of TNPWH Act. The petitioner now wants the respondents to file an alteration report.



3.The learned counsel for the petitioner would contend that Section 323 and 506(ii) of IPC are the offences set out in the schedule to Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Therefore, the respondent police will have to include the offences under Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4.Therefore, the second respondent will have to necessarily file an alteration report in this regard. In such an event, the first respondent will have to appoint a Deputy Superintendent of Police, invoking Rule 7 of the Scheduled Castes and Scheduled Tribes Rules, 1995.

5.Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar (Crl.Side)

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/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police, Trichy District.
 - 2.The Deputy Superintendent of Police, Musiri, Tiruchy District,
 - 3.The Inspector of Police, Thuraiyur Police Station,
Thuraiyur, Trichy District.
 - 4.Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.K.KEVIN KARAN, Advocate (SR-12049[F]

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