



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD) No.15102 of 2021

R.Mohan

... Petitioner

Vs.

1. The District Collector / Chairman,
District Level Vigilance Committee,
under Rule 17 of SC & ST(POA) Rule 1995,
Office of the District Collector,
Thanjavur District.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur District.
3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Human Rights and Social Justice Wing,
Thanjavur District.
4. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District.
5. The Inspector of Police,
Kumbakonam East police station,
Thanjavur District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the first respondent to withdraw the case in Crime No.34 of 2021 on the file of the fifth respondent and entrust the same to the third respondent or anyone of the Deputy Superintendent of Police level police official for completing the investigation and file charge sheet within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

**O R D E R**

The petitioner is the defacto complainant in Crime No.34 of 2021 registered on the file of Kumbakonam East police station for the offences under Sections 294(b) and 506(2) of I.P.C. and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents submitted that final report has been filed closing the case as mistake of fact on 13.01.2021. However, the report from the District Level Vigilance Committee is awaited.

3. Therefore, the petitioner will have to work out his rights before the jurisdictional Special Court. The petitioner will have to be given a copy of the report and also he has got the right to file protest petition. It is for the jurisdictional Special Court to take a call in the matter. Leaving open the petitioner's right to pursue the matter, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CRL)

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/ /2021

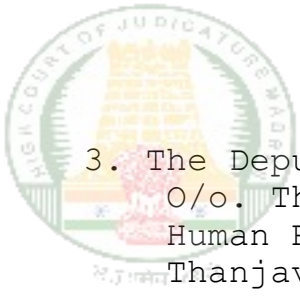
Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The District Collector / Chairman,
District Level Vigilance Committee,
under Rule 17 of SC & ST(POA) Rule 1995,
Office of the District Collector,
Thanjavur District.
2. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur District.



3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Human Rights and Social Justice Wing,
Thanjavur District.
4. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Kumbakonam Sub Division,
Thanjavur District.
5. The Inspector of Police,
Kumbakonam East police station,
Thanjavur District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

- 1.The Judicial Magistrate No.I,
Kumbakonam.
- 2.The Chief Judicial Magistrate,
Thanjavur at Kumbakonam.
(To Communicate to the Jurisdictional Special Court)

Cr1.O.P.(MD)No.15102 of 2021
17.11.2021

MGJ(01.12.2021) 3P 9C