



WEB COPY



Crl.O.P.No.6280 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.6280 of 2021 and
Crl.M.P.No.4155 of 2021

P.Arun Priya

... Petitioner

Vs.

1.State Rep by:

The Inspector of Police,
Perambalur Police Station,
Perambalur District.

2.Chinnathambi @ Vijay

3.Naveenkumar

4.Ramachandran (Ramar)

5.The Additional Director General of Police,
CB-CID,
Block No.3, 1st Floor,
SIDCO Electronics Complex,
Guindy Industrial Estate, Chennai.

6.The Deputy Superintendent of Police,
Perambalur Sub-Division,
Perambalur District.

(R6 suo motu impleaded as per order dated 10.10.2022 in
Crl.O.P.No.6280 of 2021 and Crl.M.P.No.4155 of 2021)

... Respondents



CrI.O.P.No.6280 of 2021

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the fifth respondent to conduct fresh / further investigation of the case in Crime No.226 of 2019 on the file of the 1st respondent, now pending in S.C.No.21 of 2020 on the file of the Principal District and Sessions Court, Perambalur and file a fresh final report as per law and within the time frame fixed by this Court.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.A.Damodaran,

Addl. Public Prosecutor for R1, R5 & R6

: No appearance for R2 to R4

ORDER

This Criminal Original Petition has been preferred to direct the fifth respondent to conduct fresh / further investigation of the case in Crime No.226 of 2019 on the file of the 1st respondent, now pending in S.C.No.21 of 2020 on the file of the Principal District and Sessions Court, Perambalur and file a fresh final report as per law and within the time frame fixed by this Court.

2. Heard Mr.S.Sathia Chandran, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for the first, fifth and sixth respondents.



WEB COPY 3. On 10.10.2022, this Court has passed the following order:

“The learned Additional Public Prosecutor submitted that certain materials have been collected to disclose the community of the deceased as 'Scheduled Caste' and in that case investigation has to be done by an Officer not below the rank of 'Deputy Superintendent of Police'.

2. Since the first respondent is an Officer in the rank of 'Inspector of Police', the Deputy Superintendent of Police, Perambalur Sub-Division, Perambalur District, has been suo-motu impleaded as the sixth respondent in this case in order to comply with the directions, if any.

3. Registry is directed to issue notice to the sixth respondent returnable by 17.10.2022 and post the matter on 17.10.2022.”

4. Accordingly, the sixth respondent who is the Deputy Superintendent of Police, Perambalur Sub-Division, Perambalur District has been impleaded as a party, since he is the competent authority who can take up the investigation of cases falling under SC/ST (Prevention of Atrocities) Act, 1995. Since fresh materials have been available to disclose the community of



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the deceased that he belonged to Scheduled Caste and the accused belonged to some other caste, I feel it is appropriate to direct the sixth respondent to take up the investigation in this matter and file an alteration report to alter the charges, if necessary and also file a final report after completing the investigation. within a period of two months.

5. In the result, this Criminal Original Petition is disposed and the sixth respondent is directed to take up the investigation in this matter and file a final report within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Index: Yes/No
Speaking / Non Speaking Order
gsk

17.10.2022

To



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- 1.The Principal District and Sessions Court,
Perambalur.
- 2.The Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 3.The Additional Director General of Police,
CB-CID,
Block No.3, 1st Floor,
SIDCO Electronics Complex,
Guindy Industrial Estate, Chennai.
- 4.The Deputy Superintendent of Police,
Perambalur Sub-Division,
Perambalur District.
- 4.The Public Prosecutor,
High Court of Madras.



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R.N.MANJULA, J.

gsk

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Crl.M.P.No.4155 of 2021

17.10.2022