



Crl.O.P.(MD)No.1780 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **31.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1780 of 2023

K.Shanmugalakshmi

(name is wrongly stated in First Information
Report as Lakshmi)

... Petitioner

Vs.

- 1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Natham Main Road,
Madurai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kovilpatti, Thoothukudi District.
- 4.The Inspector of Police,
Nalattinpudur Police Station,
Thoothukudi District.
- 5.Venkatesh
Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kovilpatti Sub Division,
Thoothukudi District.



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6.Aurther Justin Samuelraja
Inspector of Police,
Nalattinpudur Police Station,
Thoothukudi District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondents 1 and 2 to appoint a police officer not below the rank of Deputy Superintendent of Police to investigate the case in Crime No.248 of 2022 on the file of the fourth respondent, consequently to direct the respondents 1 and 2 to initiate necessary action under Section 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the erred police officials in accordance with law time stipulated by this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.S.Malaikani

For R1 to R4 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the respondents 1 and 2 to appoint a police officer not below the rank of Deputy Superintendent of Police to investigate the case in Crime No.248 of 2022 on the file of the fourth respondent, consequently to direct the respondents 1 and 2 to initiate



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necessary action under Section 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the erred police officials in accordance with law.

2. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents 1 to 4 would submit that originally FIR was registered in Crime No.248 of 2022 for the offences under Sections 294(b) and 323 IPC and after initial investigation, the case was altered into Sections 294(b) and 323 IPC r/w Sections 3(l)(r) and 3(2)(va) of SC/ST (POA) Act 2015. He would further submit that as per the mandatory procedure of the SC/ST Act, Mr.Venkatesan, Deputy Superintendent of Police, Kovilpatti Sub Division, Thoothukudi District was appointed as an investigating officer by the second respondent and that investigation is pending.

3. Recording the submission made by the learned Government Advocate (Criminal Side), the newly appointed investigating officer is directed to proceed with the investigation and the second respondent is directed to monitor the investigation.



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4. With the above directions, this Criminal Original Petition stands disposed of.

31.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Inspector General of Police,
Office of the Inspector General of Police,
South Zone, Natham Main Road,
Madurai.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Thoothukudi District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
- 4.The Inspector of Police,
Nalattinpudur Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.1780 of 2023

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