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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

Crl.O.P.(MD) No.5178 of 2021

Thamilraj

...Petitioner

Vs.

- 1.The Deputy Inspector General of Police,
South Zone,
Madurai.
- 2.The Superintendent of Police,
Virudhunagar District.
- 3.The Deputy Superintendent of Police,
Srivilliputhur,
Virudhunagar District.
- 4.The Deputy Superintendent of Police,
Rajapalayam,
Virudhunagar District.
- 5.The Deputy Superintendent of Police,
CBCID,
Virudhunagar District.
- 6.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
Crime No.73 of 2021

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to change the investigation agency from the fourth respondent to fifth respondent herein in pertaining to the case in Crime No.73 of 2021 on the file of sixth respondent.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

The petitioner / Complainant has filed this Criminal Original Petition to change the investigation agency from the fourth respondent to fifth respondent herein in pertaining to the case in Crime No.73 of 2021 on the file of sixth respondent for the alleged offences under Sections 294(b), 324, 506(2) of IPC and Section 3(1)(x) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. The case of the prosecution is that the petitioner is working as an Advocate Clerk at District Court, Srivilliputhur. Due to previous motive, one Murugaraj and others belonged to the same village assaulted



the petitioner and caused injuries. In addition to that, they called him by his caste name. Hence, the petitioner gave a complaint against one Seenigurusamy, who is Special Sub-Inspector of Police attached to 6th respondent herein and others to the Additional Superintendent of Police, Virudhunagar.

3. Today, when the matter was taken up for hearing, Mr.E.Antony Sahaya Prabakar, learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the case was investigated and the case was referred as 'Mistake of Fact' on 07.04.2021, the same was also filed before the competent Court constituted under the grievance of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and the same was also informed to the petitioner.

4. In view of the above submission made by the learned Additional Public Prosecutor, this petition stands closed with a direction to the petitioner, if any grievance over the investigation report, the petitioner is at liberty to agitate before the concerned Court as per the law.



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5. With the above said observation, this Criminal Original Petition stands closed.

05.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
BTR

To

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- 4.The Deputy Superintendent of Police,
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7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

BTR

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