



Crl.O.P.(MD).No.15953 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.15953 of 2023

and

Crl.M.P(MD)No. 12660 of 2023

1.Srinivasan
2.R.Arulprakash
3.A.Babu

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Thiruverumbur Sub Division,
Trichy District.

2.State represented by
The Inspector of Police,
Boiler Plant Police Station,
Trichy District
(Crime No.18 of 2023)

3.Kalyanakumar

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to Crime No.18 of 2023 on the file of the 2nd respondent and quash the same as against the petitioner.



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For Petitioners : Mr.M.Karunanithi
For R1 and R2 : Mr.M.Sakthi Kumar
Government Advocate (crl.)
For R3 : Mr.R.M.Makesh Kumaravel

ORDER

This Criminal Original Petition is filed to call for the records relating to Crime No.18 of 2023 on the file of the 2nd respondent and quash the same as against the petitioner.

2. Learned counsel for the petitioner submitted that the third respondent herein was originally working as a Technician in Bharat Heavy Electricals Limited(BHEL), Trichy. Later he was transferred to BHEL IVP, Goindwal Unit, Punjab unit, by order dated 08.05.2023. Based upon the said order, the present complaint alleged to have been given by the third respondent herein and upon which, a case has been registered in Crime No.18 of 2023 for the offences under Section 3(1)(r), 3(1)(p),3(1)(u) and 3(1)(z) of SC/ST (Prevention of Atrocities) Act, 1989. The order of transfer was challenged by the third respondent before this Court by filing W.P(MD)No.14306 of 2023. That came to be dismissed by this Court on 28.07.2023, holding that transfer is a part and



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parcel of the service, that cannot be challenged. After the said dismissal, the third respondent also joined duty at the transferred place on 05.09.2023.

3. The third respondent is also present, in person, before this Court and submitted that he is not willing to pursue the matter further. It is also further submitted that he has not received any compensation from the Government. The third respondent is agreeing for quashing the proceedings.

4. Learned Government Advocate (crl.side) also verified and submitted that even proposal was sent, no amount was disbursed to the third respondent.

5. In view of the developments, the proceedings in Crime No.18 of 2023, is quashed and this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

10.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.ILANGO VAN,J.

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To

- 1.The Deputy Superintendent of Police, Thiruverumbur Sub Division,
Trichy District.
- 2.The Inspector of Police, Boiler Plant Police Station,
Trichy District. (Crime No.18 of 2023)

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