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Crl.OP.No.19312 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.19312 of 2023
and Crl MP No.12976 & 12977 of 2023

Vimal

... Petitioner

Vs.

1. State rep. By
The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Plice,
Perambalur, Perambalur District.

2. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Cr. No.1524/2021)

3. Arivazhagan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to call for the records of the proceedings in Spl.S.C.No.8 of 2022 on the file of the Special Court for SC/ST Act, Perambalur and quash the same.



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For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.S.Udaya Kumar
Govt. Advocate (Crl. Side), for RR 1 & 2

Mr.Ma.P.Thangavel, for R3

ORDER

In the case and the case in counter, the respondent Police has registered a complaint against the petitioner in Crime No.1524 of 2021 and on completion of the investigation, has filed a final report which is taken on file as Spl. SC No.8 of 2022, whereas the earlier complaint of the petitioner in respect of the same transaction was registered in Crime No.1523 of 2021.

2. The learned Government Advocate (Crl. Side) states that final report filed on 24.07.2023, but so far not taken on file. Without referring to the counter complaint registered in Crime No.1523 of 2021 on the conclusion of investigation, the respondent Police has filed final report in subsequent complaint before the Special Court. This is totally in contradiction with Police Standing Order 588.



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3. Therefore, the Criminal Original Petition filed to quash the Special SC No.8 of 2022 is allowed. The I.O. shall take up investigation in both Crime Nos.1523 and 1524 of 2021 afresh and file a final report following the direction issued by the Full Bench of this Court in ***Balaji Vs. State of Tamil Nadu.*** Consequently, connected Criminal Miscellaneous Petition is closed.

03.09.2024

jv

Index: Yes/No

Internet: Yes/No

To

1. The Special Judge
SC/ST Court, Perambalur
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Perambalur, Perambalur District.
3. The Inspector of Police,
Perambalur Police Station,
Perambalur District.
4. The Public Prosecutor,
High Court of Madras



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Dr.G.JAYACHANDRAN,J.

jv

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