



Crl.O.P.(MD)No.6072 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

Crl.O.P.(MD) No.6072 of 2022

A.Ranjith Kumar

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Deputy Superintendent of Police,
Thiruvarambur, Trichy District.

3.The Inspector of Police
Navalpattu Police Station,
Trichy District.
Crime.No.24 of 2022

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second and third respondents to make further investigation of the case in Crime No.24 of 2022 dated 19.01.2022 which was registered by the third respondent and investigated by the second respondent within the time limit that may be stipulated by this Court.

For petitioner : No Appearance

For Respondents : Mr.P.Nambiselvan,
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed seeking for a direction to the second and third respondents to make further investigation of the case in Crime No.24 of 2022 dated 19.01.2022.

2. The case of the petitioner is that the petitioner, who is a Social Worker, is the President of the Vazharum Tamilzham. The petitioner has supported one Balamurthy, who was opposing James in the Election conducted by the Panchayat. But, in the said election, the above said James got elected. After election, the above said James started ill-treating the women belonging to the SC/ST community. When the women reported the same to the petitioner, the petitioner asked the above said James and the said James scolded the petitioner by using his caste name. On 12.09.2021 the above said James brutally attacked the petitioner along with his henchmen and due to which, the petitioner admitted in the Hospital. Thereafter, the petitioner made a complaint before the respondent Police and the respondent Police registered the complaint. On the next day, the above said James gave a false complaint against the petitioner before the Police and FIR was registered against the petitioner in Crime No.474 of 2021 for the alleged offence



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punishable under Sections 294(a) and 506 (1) IPC and the third respondent Police remanded the petitioner for eight days and thereafter, he was released. After that, the petitioner gave a complaint to the first respondent Police and based on that, the third respondent registered FIR in Crime No.245 of 2022 against the above said James and their henchmen for the offences under Sections 147, 323, 294(b), 506(i) IPC r/w Sections 3(1)(r), 3(1)(s) and 3(2)(Va) of the SC/ST Act. After conducting the investigation, the respondent Police filed a charge sheet as “Mistake of Fact” and the same was taken on file in R.C.No.2 of 2022. Aggrieved over the charge sheet, the petitioner has filed the present petition.

3. Heard the learned Additional Public Prosecutor appearing for the respondent Police.

4. Since the fourth respondent, after completing the investigation, has filed the charge sheet as “Mistake of Fact”, the present petition seeking order to transfer the investigation at this stage is not a sustainable one. Hence, this Court cannot grant the relief as sought for by the petitioner.



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5. Accordingly, this Criminal Original Petition stands dismissed. Liberty is granted to the petitioner to file a protest petition before the concerned Court.

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Index : Yes/No

Internet : Yes/No

TSG

To

- 1.The Superintendent of Police,
Trichy District, Trichy.
- 2.The Deputy Superintendent of Police,
Thiruvarambur, Trichy District.
- 3.The Inspector of Police
Navalpattu Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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