



CRL OP(MD)No.5683 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 15.04.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD)No.5683 of 2024

M.Manimuthu

... Petitioner

Vs

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Devakkottai Town Police Station,
Sivagangai District.
- 4.Chokkalingam
- 5.Marimuthu

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the proceedings of the third respondent dated 18.12.2023 and issue necessary directions to the first respondent to further investigate the CSR.No.658 of 2023 by



CRL OP(MD)No.5683 of 2024

appointing a police officer not below the rank of the Deputy Superintendent of Police within stipulated time fixed by this Court.

For Petitioner : Mr.S.M.Mohan Gandhi
For R1 to R3 : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

ORDER

The petitioner is working as a Driver in Devakottai Depot of the Tamil Nadu Transport Corporation. He has lodged a complaint against the Depot Manager as the Depot Manager abused him by making casteist remarks. The complaint appears to have been treated as petition enquiry in CSR.No.658 of 2023 and the same was closed on 18.12.2023 by the Inspector of Police, Devakkottai Town Police Station. Therefore, the petitioner has approached this Court to set aside the proceedings of the third respondent dated 18.12.2023 and issue necessary directions to the first respondent to conduct further investigation in CSR.No.658 of 2023 by appointing a Police Officer not below the rank of Deputy Superintendent of Police.



WEB COPY

2.The learned counsel appearing for the petitioner, by relying upon the Clause 7 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Rules, 1995, submits that any complaint given under the provisions of Scheduled Caste and Scheduled Tribe Act, has to be investigated only by an Officer not below the rank of Deputy Superintendent of Police. In this case, the investigation was conducted only by the Inspector of Police and therefore, further investigation has to be ordered on the petitioner's complaint.

3.The learned Government Advocate(Crl.side) appearing for the official respondents submits that based on the objection raised by the petitioner, an enquiry was ordered by the Superintendent of Police and the Additional Superintendent of Police, Cyber Crime Branch, Sivagangai District has also conducted enquiry by examining witnesses. Apart from that the entire proceedings was captured in CCTV. A report was also submitted to the Superintendent of Police by stating that the complaint preferred by



the petitioner is a false one. The said report has also been produced before this Court.

4.A perusal of report in Na.Ka.No.2 dated 24.01.2024 reveals that initially the petitioner has projected the case as if on 13.12.2023 he was abused by casteist remarks in the Depot, whereas, in the statement he has stated that the accused has abused him out of the Depot, near Union Board. The Investigating Officer has also verified CCTV footages of the alleged date of occurrence and has come to the conclusion that there was no truth in the complaint lodged by the petitioner.

5.The petitioner has approached this Court by alleging that his complaint was investigated by the Inspector of Police. This, according to him, is against the Clause 7 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Rules, 1995. Now, the learned Government Advocate(Crl.side) has produced a report of the Additional Superintendent of Police dated 24.01.2024. As per the



CRL OP(MD)No.5683 of 2024

report, an enquiry was conducted by the Additional Superintendent of Police and the petitioner herein also participated in the enquiry.

Therefore, this Court is not inclined to entertain this petition.

Accordingly, this criminal original petition is dismissed.

15.04.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

gns

To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Deputy Superintendent of Police,
Sivagangai District.
- 3.The Inspector of Police,
Devakkottai Town Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



WEB COPY



CRL OP(MD)No.5683 of 2024

B.PUGALENDHI,J

gns

Crl.O.P.(MD)No.5683 of 2024

15.04.2024