



Crl.O.P.(MD)No.14222 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14222 of 2024

Vasanthi

: Petitioner/Defacto
Complainant

Vs.

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Deputy Superintendent of Police,
Papanasam Sub Division,
Thanjavur District.

3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
Crime No.11 of 2020

: Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS., to direct the first respondent herein to appoint Special Public Prosecutor as per the representation of the petitioner, dated 22.07.2024 to conduct the prosecution in Spl.S.C.No.56 of 2020 before the learned Additional District and Sessions Judge cum Special Judge for SC/ST Act cases, Thanjavur.



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For Petitioner : Mr.M.Karunanthi

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

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the first respondent herein to appoint Special Public Prosecutor as per the representation of the petitioner, dated 22.07.2024 to conduct the prosecution in Spl.S.C.No.56 of 2020 before the learned Additional District and Sessions Judge cum Special Judge for SC/ST Act cases, Thanjavur.

2. It is evident from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.11 of 2020 on the file of the Ammapet Police Station, Thanjavur District, for the alleged offence under Sections 147, 148, 294(b), 448, 427, 506(ii) IPC and Section 4 of TNPHW Act and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act and after completing the investigation, charge sheet came to be filed against 19 accused for the alleged offence under Sections 147, 148, 294(b), 448, 427, 506(ii) IPC and Section 4 of TNPHW Act and Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST Act and the case was taken on file in



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Spl.S.C.No.56 of 2020 and the same is pending on the file of the I
Additional District and Sessions Court (PCR), Thanjavur.

3.The learned counsel for the petitioner would submit that though three witnesses came to be examined in the year 2022, thereafter, there was no progress. He would further submit that the ninth accused is a close relative of the present Public Prosecutor and the other accused A7, A18 and A16 are belonging to the particular community and the members of the particular political party, having influence and that the Special Public Prosecutor is also belonging to the same political party. He would also submit that though the petitioner has given a representation to the District Collector/first respondent, he has not passed any order till now.

4. The learned counsel for the petitioner would submit that Section 21 of SC/ST (POA) Act contemplates that the victim is entitled to select a lawyer and he suggested the name of Mr.T.S.Karthikeyan.

5. Considering the above, the first respondent is directed to consider the petitioner's representation for appointment of Special Public Prosecutor



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and pass necessary orders within a period of ten days from the date of receipt of copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of.

29.08.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
das

To

- 1.The District Collector,
Thanjavur District, Thanjavur.
- 2.The Deputy Superintendent of Police,
Papanasam Sub Division,
Thanjavur District.
- 3.The Inspector of Police,
Ammamet Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.14222 of 2024

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