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Crl.A.No.1277 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.A.No.1277 of 2025

K.Kumarakanthan

.....

Appellant

Vs.

1. V.Balu Chettiyar

2. K.Sekar

3. S.Karikal Pari Shankar

.....

Respondents

Prayer: Criminal Appeal is filed under Section 14 A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, to call for the records in Crl.M.P.No.661 of 2023 on the file of learned Sessions Judge (Special Court for S.C. & S.T.Act cases), Cuddalore District and allow the appeal and thereby set aside the order dated 05.09.2023 in Crl.M.P.No.661 of 2023 on the file of the learned Sessions Judge (Special Court for S.C. & S.T.Act cases), Cuddalore District.

For Appellant : Mr.R.Ganesh Kumar

For Respondent : Mr.R.Thamaraiselvan for R1



JUDGMENT

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This appeal has been preferred as against the order dated 05.09.2023 made in CrI.M.P.No.661 of 2023 on the file of the learned Sessions Judge (Special Court for S.C. & S.T.Act cases), Cuddalore District., thereby dismissing the private complaint filed by the appellant.

2. The appellant lodged a complaint alleging that he was the driver of the first respondent herein and on 25.11.2020 at about 01.00 p.m. when the first respondent was going to attend a marriage at Cuddalore, in his car driven by the appellant, the first respondent scolded him by using his caste name and also slapped him. Therefore, the appellant sustained injury on his ear and went to the hospital. When it was questioned by the appellant, he was further abused by using his caste name. The occurrence was also witnessed by three persons.

3. On a complaint, the second respondent registered FIR and thereafter, closed the same. Therefore, the petitioner filed a private complaint. Before the trial Court the petitioner had examined three persons. The contents of the FIR and the statements of witnesses are completely contradictory to each other. After closing the FIR, the petitioner had lodged the private complaint and



Crl.A.No.1277 of 2025

examined three persons as if they have seen the alleged occurrence.

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4. After a detailed enquiry, the trial Court has rightly dismissed the complaint. There is no prima facie material available to take cognizance as against the respondents. Hence, this court finds no illegality or infirmity in the order passed by the trial Court.

5. Accordingly, this Criminal Appeal is dismissed.

20.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
bkn

To:

1.The Sessions Judge (Special Court for S.C. & S.T.Act cases),
Cuddalore District



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G.K.ILANTHIRAIYAN, J.

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Crl.A.No.1277 of 2025

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