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CRL OP No. 21176 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL OP No. 21176 of 2025

1. Jayanthi Uma
W/o.Sivalingam,
D.No.9, 11th block,
Kudisai Matru Variya Kudiyruppu,
Kavulapalayam, Perambalur District

Petitioner(s)

Vs

1. The Superintendent of Police
Office of the Superintendent ,
Perambalur,
Perambalur District.

2.The Deputy superintendent of Police
Office of the Deputy Superintendent of
Police, Perambalur District

3.The Inspector of Police
Perambalur Town Police Station,
Perambalur.

Respondent(s)



PRAYER

This Criminal Original Petition is filed under Section 528 of BNSS, to direct the third respondent- Inspector of Police, Perambalur Town Police Station, Perambalur District to complete the investigation in Cr.No.290/2025 and file the final report/charge Sheet before the jurisdictional Magistrate within a time frame.

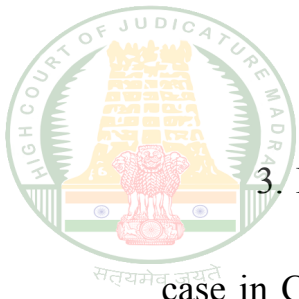
For Petitioner(s): Mr.A.Arunkumar

For Respondent(s): Dr.C.E.Pratap
Government Advocate, (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the third respondent-Police to complete the investigation in Cr.No.290/2025 and to file a final report/charge sheet before the jurisdictional Magistrate within a time frame.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents-Police and perused the materials available on record.



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3. Based on the petitioner's complaint, the respondent-Police registered a case in Crime No.290 of 2025 as against the accused persons for the offences under Sections 296(b), 351(3) of the BNS, 3(1)(f), 3(1)(g), 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Act on 27.05.2025. As per SC/ST (Prevention of Atrocities Act), investigation has to be completed within 60 days and charge sheet has to be filed. In this case, even after expiry of 60 days, the charge sheet has not yet been filed. Hence, the petitioner is constrained to file this criminal original petition. Rule 7 (ii) is amended in the year 2016 w.e.f.14.4.2016. Sub clause (2) of Rule (7) is very clear that the officer who is in-charge of the concerned Police Station, shall file a charge sheet before the Special Court for Exclusive Trial of SC/ST Cases within a period of 60 days.

4. Considering the submissions made by the learned counsel on either side and also considering the facts and circumstances of the case, this Court directs the respondents-Police to complete the investigation and file a charge sheet within a period of 15 days from the date of receipt of a copy of this order, failing which, the Superintendent of Police, Perambalur District is directed to take action against the concerned police officer.



5. This Court has come across in several cases, especially, in the cases registered under SC/ST Act that the Investigating Officers are not following Rule (6) regarding the Inspection of the officials and also Rule (7) of the Act, with regard to appointment of Investigating Officer and also the period for completion of investigation and filing of charge sheet.

6. The Director General of Police, Tamil Nadu is directed to give instructions to all the Inspector General of Police, Additional Inspector General of Police, Superintendent of Police, Commissioner of Police, Deputy Commissioner of Police and all other investigating officers to adhere Rules 6 and 7 of the Act. If there is deviation, he is directed to take action against the officers who are not following the mandatory provisions of the SC/ST Act.

7. With the abovesaid direction, this Criminal Original Petition is disposed of.

28-07-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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1. The Director General of Police
Chennai.
2. The Superintendent of Police
Office of the Superintendent ,
Perambalur
3. The Deputy superintendent of Police
Office of the Deputy Superintendent
of Police, Perambalur District
4. The Inspector of Police
Perambalur Town Police Station,
Perambalur.
5. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN J.

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