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Crl.O.P.No.21432 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.21432 of 2025

M.Thimmaraj

...Petitioner

Vs.

1. State represented by
The Superintendent of Police,
Krishnagiri District.
2. The Deputy Superintendent of Police/
Krishnagiri Taluk, Krishnagiri District.
3. The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
4. The Director,
Central Bureau of Investigation,
No.26, 3rd Floor, Haddows Road,
Shastri Bhavan, Chennai – 600 006.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS to transfer the investigation in Crime No.248 of 2025 from the file of the second and third respondents to the Central Bureau of Investigation (CBI) or any other competent investigating agency.



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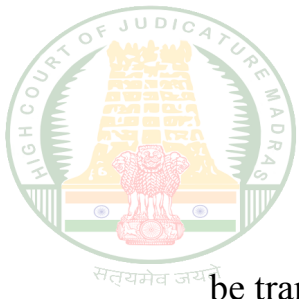
CrI.O.P.No.21432 of 2025

For Petitioner : Mr.K.Venkatasubban
For Respondents : Dr.C.E.Pratap,
Government Advocate (CrI.Side)
for R1 to R3

ORDER

This petition has been filed seeking transfer of the investigation in Crime No.248 of 2025 from the file of the second and third respondents to the Central Bureau of Investigation (CBI) or any other competent investigating agency.

2 According to learned counsel for the petitioner the temple belonged to Scheduled Caste has been demolished by the people belong to Vanniyar community, for which, the petitioner made complaint before the first respondent and since no action has been taken on the same, the petitioner approached National Commission for Scheduled Caste. Thereafter based on the directions issued by the National Commission, an FIR in Cr.No.248 of 2025 has been registered, but the first respondent appointed second respondent, against whom the petitioner made complaint before the National Commission for Scheduled Caste for not taking action on the petitioner's complaint. Therefore the case in Cr.No.248 of 2025 has to



Crl.O.P.No.21432 of 2025

be transferred to any other competent investigating agency.

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3 Learned Government Advocate (Crl.Side) appearing for the respondents 1 to 3 would submit that the petitioner has not named any specific person and he only stated that jurisdictional DSP. Hence this Court may direct the first respondent to monitor the investigation.

4 Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents 1 to 3 and perused the materials available on record.

5 It is seen that the petitioner made complaint before second respondent to take action against the violators, who demolished the temple belonged to Scheduled Caste community, but since no action has been taken on the same, the petitioner approached the National Commission for Scheduled Caste. Thereafter based on the directions issued by the National Commission for Scheduled Caste, FIR in Cr.No.248 of 2025 has been registered.



Crl.O.P.No.21432 of 2025

WEB COPY

6 Now it is the grievance of the petitioner that the first respondent appointed the second respondent as an investigating officer, against whom, the petitioner made complaint before the National Commission for Scheduled Caste. Therefore he seeks transfer of investigation to any other competent investigating agency. It is seen that the petitioner has clearly named the second respondent in his representation before the National Commission for Scheduled Caste. Therefore the apprehension of the petitioner seems reasonable.

7 Under such circumstances, the first respondent is directed to appoint any other competent officer to conduct investigation in Cr.No.248 of 2025 and the newly appointed investigating officer is directed to conduct fresh investigation complying the Rule 6, 7 and 12 of the SC/ST (PoA) Rules, and file a charge sheet within a period of three months from the date of his appointment as investigating officer in Cr.No.248 of 2025.

8 With the above directions, this Criminal Original



CrI.O.P.No.21432 of 2025

Petition stands allowed.

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31.07.2025

cgi
Speaking /Non-speaking order

To

1. The Superintendent of Police, Krishnagiri District.
2. The Deputy Superintendent of Police/Krishnagiri Taluk, Krishnagiri District.
3. The Inspector of Police, Krishnagiri Taluk Police Station, Krishnagiri District.
4. The Public Prosecutor, Madras High Court.



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Crl.O.P.No.21432 of 2025

P.VELMURUGAN, J.

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Crl.O.P.No.21432 of 2025

31.07.2025