



Crl.O.P.No.29846 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.29846 of 2024

V.Chitra

... Petitioner

Vs.

1. The State of Tamil Nadu
Represented by its
District Collector,
Namakkal District,
Namakkal.

2. The Inspector of Police,
CBCID, Namakkal,
Namakkal District.

3. Amudharasu

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS read with section 4(5) of SC/ST Act, to issue a direction directing the District Collector, Namakkal, to appoint Mr.B.B.Mohan Advocate Ms No.354/1979 as Special Prosecutor to prosecute the case in S.C.No.140 of 2018 on the file of the Special Court under SC/ST prevention of Atrocities Act, Namakkal on the basis of the representation of the petitioner dated 30.07.2024.



WEB COPY



Crl.O.P.No.29846 of 2024

For Petitioner : Mr.R.Sankarasubbu
For R1 & R2 : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to issue a direction directing the District Collector, Namakkal, to appoint Mr.B.Mohan Advocate, Ms No.354/1979 as Special Prosecutor to prosecute the case in S.C.No.140 of 2018 on the file of the Special Court under SC/ST prevention of Atrocities Act, Namakkal on the basis of the petitioner's representation dated 30.07.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents and perused the materials available on record.

3. On a perusal of the records, it is seen that the petitioner has filed the petition before the first respondent seeking appointment of Thiru.B.Mohan as the Special Public Prosecutor to prosecute the case in



Crl.O.P.No.29846 of 2024

WEB COPY

S.C.No.140 of 2018 on the file of the Special Court under SC/ST prevention of Atrocities Act, Namakkal. The first respondent has also sent a communication to the petitioner stating that the consent letter has been sent to the Government with regard to petitioner's application and the same is under process in order to obtain a Government order. Further, it is seen that the abovesaid Public Prosecutor has requested the first respondent to sanction travelling allowance along with remuneration. As per Advocates Act, he is entitled only for remuneration/legal fees not for any other allowance.

4. In view of the same, this Criminal Original Petition is disposed of.

06.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



Crl.O.P.No.29846 of 2024

WEB COPY

To

1. The District Collector,
Namakkal District,
Namakkal.
2. The Inspector of Police,
CBCID, Namakkal,
Namakkal District.
3. The Public Prosecutor,
High Court, Chennai.



WEB COPY



Crl.O.P.No.29846 of 2024

P.VELMURUGAN, J.

mfa

Crl.O.P.No.29846 of 2024

06.01.2025