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Crl.O.P.No.3616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3616 of 2025

C.Ramkumar,
S/o K.Chinnasamy Krishnan,
D.No.21, Bajanai Mada Veethi,
Nadupalayam,
Vellottamparappu (Post)
Erode District - 658154

... Petitioner

Vs.

1. The State Rep. By Inspector of Police,
Uthukuli Police Station,
Tiruppur District. Crime NO.41 of 2024

2. Vijaya Kumar.
3. S.Mohan Raj.
4. The Secretary,
Sasurie College of Engineering,
Vijayamangalam,
Tiruppur District. 638 056.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 pleaded to direct the 1st respondent to take steps to recover the Petitioner's educational certificates as stated in his complaint dated 01.02,2024 from the 2nd to 4th respondents in connection with F.I.R No.41 of 2024 on the file of the 1st respondent police based on the petitioner's representation dated 17.10.2024 within time stipulated by this Hon'ble court.



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For Petitioner : Mr.R.Subburaj
For R1 : Mr.K.M.D.Muhilan,
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to direct the 1st respondent to take steps to recover the petitioner's educational certificates as stated in his complaint dated 01.02,2024 from the 2nd to 4th respondents in connection with F.I.R No.41 of 2024 on the file of the 1st respondent police based on the petitioner's representation dated 17.10.2024.

2. The learned counsel for the petitioner submits that when the petitioner joined as an Assistant Professor at the 4th respondent's college, the 2nd and 3rd respondents were the Principal and Administrative Officer, respectively. The petitioner submitted all the original educational certificates at that time. Later, the petitioner was directed to take on an additional charge, but was not paid the additional salary. As a result, the petitioner resigned from his position as Assistant Professor. Subsequently, the petitioner requested the return of his original certificates, including the S.S.L.C, H.S.C, BCA, and MCA (CSE) degrees, which were submitted at the time of his joining the college. However, the college management denied the request and the petitioner lodged a



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complaint before the 1st respondent police.

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3. According to the petitioner, during the investigation, the 2nd to 4th respondents admitted that they were in possession of the original certificates. However, the 1st respondent police did not take any steps to recover the certificates.

4. On instructions, Mr. K. M. D. Muhilan, learned Government Advocate (Crl. Side) appearing for the 1st respondent, submits that upon the petitioner's complaint, F.I.R. was registered in Crime No. 41/2024 for offences under Sections 406 and 506(1) of the I.P.C. After the completion of the investigation, final report was filed and the trial Court took cognizance in C.C.No.123 of 2024, on the file of the Judicial Magistrate, Uthukuli, Tiruppur District.

5. Further, the learned Government Advocate (Crl. Side) for the 1st respondent submits that the documents referred to by the petitioner relate only to his educational qualifications for the post of Assistant Professor. According to the respondents 2 to 4, they do not possess any original educational certificates of the petitioner. The matter is now pending for trial. However, the



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petitioner is at liberty to cross-examine the 2nd to 4th respondents during the trial regarding the possession of the educational certificates. Therefore, after the Trial Court has taken cognizance, no further direction can be issued by this Court since the investigation has already been completed and the final report has been filed. However, the petitioner is at liberty to approach the trial Court for appropriate relief during the cross-examination of the prosecution witnesses.

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

12.02.2025

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

To,

1. The Inspector of Police, Uthukuli Police Station, Tiruppur District.
2. The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

bsm

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