



Crl.O.P.(MD)No.788 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.788 of 2025

Prasath

... Petitioner

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Ramanathapuram, Ramanathapuram District,
Trichy City.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ramanathapuram Range,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation on the petitioners complaint dated 08.10.2024 to some other range of Deputy Superintendent of Police by considering the petitioners representation dated 26.12.2024.

For Petitioners	: Mr.K.Yasar Arafath
For Respondents	: Mr.A.Thiruvadikumar Additional Public Prosecutor



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ORDER

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The petitioner had lodged a complaint against one Rajanagendran and others. The respondent police had issued CSR No.1734 of 2024, but no action has been taken. Hence, he sent a representation on 26.12.2024. Thereafter too, no action has been taken. Hence, the above petition.

2. The contention of the petitioner is that the petitioner, on the representation of the Rajanagendran, had agreed to purchase the property in S.No.333/4 situated at Pandikanmai on 24.01.2022 for a sum of Rs.5,00,000/-. In this regard, sale agreement was executed in presence of one Karthick and Muruganantham. After receipt of Rs.5,00,000/-, the said Rajanagendran refused to execute a sale deed. Hence, the petitioner had gone to the house of Rajanagendran, at that time, one Thillaikarasi and Gowrinatchiyar were there and got offended of petitioner's entering into the house, since the petitioner belongs to Scheduled Caste community, abused him and further, they also refused to execute a sale deed. Despite the petitioner on several occasions in person and over phone asked for return of money, they neither executed a sale deed nor returned money. On 07.10.2024, at about 06.00 pm., when the petitioner



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had gone to the house of Rajanagendran, at that time, his family members got offended, abused him and not allowed him to enter into house, pushed him out and also called him caste name. Hence, the petitioner had lodged a complaint. The respondent police is not conducting proper investigation, despite the complaint made under Scheduled Caste and Scheduled Tribes Act. The Inspector of Police, is conducting investigation and not the Deputy Superintendent of Police. Hence, he sought for appropriate direction.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted a closure report in CSR.No.1734 of 2024, wherein the petitioner's allegation that on 07.10.2024, he entered into the house of the counter-petitioner/ Rajanagendran, at that time, he was pushed out and abused him his caste name was verified. On verification of tower location of the petitioner as well as Rajanagendran, Thillaikarasi and Gowrinatchiyar's mobile phone, it was found that the petitioner's mobile phone' tower location shows that the petitioner was very much available only in Paramakudi and he was not near the house of the counter-petitioner at that point of time. Further, the Rajanagendran, Thillaikarasi and Gowrinatchiyar were not in Ramanathapuram and they



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Trichy City.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Ramanathapuram Range,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

Rmk

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