



Crl.O.P(MD)No.4005 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

Crl.O.P(MD)No.4005 of 2025

M.Periyakaruppan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by,
The Commissioner of Police,
Madurai City,
Madurai.

2.K.Mahalakshmi

3.K.Abinaya

4.P.Manikandan

5.A.John Britto

6.Athikundha Pandiyan

7.P.Rajeshwaran

8.Sridharan

... Respondents



Crl.O.P(MD)No.4005 of 2025

Prayer : Criminal Original Petition filed under Section 528 of B.N.S.S., 2023, to direct the first respondent to register FIR based on the order passed in Crl.M.P.No.162 of 2025 on the file of the III Additional District Court, Madurai, dated 20.01.2025 and consequently take necessary action against the respondents 7 and 8 under Section 4 of SC/ST (POA) Act and pass such other orders as this Court.

For Petitioner : Mr.A.Vadivel

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent to register FIR based on the order passed in Crl.M.P.No.162 of 2025 on the file of the III Additional District Court, Madurai, dated 20.01.2025 and consequently take necessary action against the respondents 7 and 8 under Section 4 of SC/ST (POA) Act.

2. According to the petitioner, the petitioner lodged a complaint on 04.01.2025 and thereafter, no action was taken. Therefore, again on 05.01.2025, the petitioner sent a representation to the fifth respondent and no



Crl.O.P(MD)No.4005 of 2025

WEB COPY

action was taken and thereafter, on 09.01.2025, the petitioner sent a representation against the respondents 2 to 6 to the first respondent but no response. On 15.01.2025, the sixth respondent sent a summon for appearance with necessary documents. Since the sixth respondent is not a competent person, he sent a letter, dated 18.01.2025 and no reply. Therefore, the petitioner filed this petition before the III Additional District Judge under Section 175(3) of BNSS in Crl.M.P.No.162 of 2025 against the respondents 2 to 6 and the learned III Additional District Judge forwarded the same to the Deputy Superintendent of Police but the same has not been considered. Hence, the petitioner filed this petition.

3. The learned Additional Public Prosecutor appearing for the first respondent would submit that they registered FIR in Crime No.115 of 2025, dated 30.01.2025 based on the complaint of the petitioner for the occurrence, dated 03.01.2025. Therefore, nothing survives for further adjudication.

4. At this juncture, the learned Counsel appearing for the petitioner would submit that they lodged a complaint for the occurrence, dated 30.01.2025 and 04.01.2025 and thereafter, the petitioner filed a petition before



Crl.O.P(MD)No.4005 of 2025

WEB COPY

the Special Court for PCR SC/ST (POA) cases and the same was forwarded to the police but the said complaint has not been considered and they registered FIR for the complaint lodged on 30.01.2025. Since the earlier complaint is the first information, the respondent also registered a case on the first information, dated 30.01.2025, if any grievance the petitioner can approach appropriate authority. Therefore, no further order are required to be passed in this case.

5. Accordingly, this Criminal Original Petition stands closed.

04.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Commissioner of Police,
Madurai City,
Madurai.
- 2.The III Additional District Court,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.4005 of 2025

P.DHANABAL, J.

BTR

Crl.O.P(MD)No.4005 of 2025

04.03.2025