

Crl.O.P.(MD)No.9530 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.9530 of 2025

1. Sivaperumal

2. Sathish

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Pudukkottai, Pudukkottai District.

2.The Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District.
Crime No.56 of 2025.

3. Marimuthu

4. Kannadasan

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to direct the learned District and Sessions Judge(Special Court for PCR Cases), Pudukkottai to accept the surrender of the Petitioners and consider their bail application on the same day on merit relating to Crime No.56 of 2025, dated 13.05.2025.

For Petitioner

: Mr. D.Rameshkumar



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For R1 & R2

: Mr. P.Kottaichamy
Government Advocate(Crl.side)

ORDER

The petitioners are A6 and A7 in Cr.No.56 of 2025 on the file of the second respondent Police, which was registered for the offences under Sections 191(2), 126(2), 296(b), 115(2), 118(1), 351(3), 74 BNS and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act 2015. They have filed this petition seeking a direction to the learned District and Sessions Judge (Special Court for PCR Cases), Pudukottai to accept their surrender and consider their bail application on the same day on merits.

2.Earlier, this Court has noted that for the occurrence said to have taken place on 14.04.2025, the case was registered on 13.05.2025 and therefore, this Court directed the first respondent to file a report as to the reasons for registering the case after a month. The first respondent has also filed a report admitting the fact that the third respondent was admitted in the Government Hospital and the



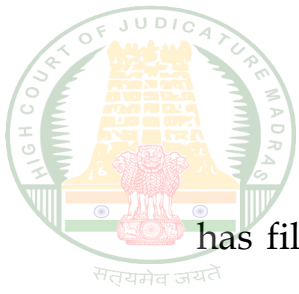
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respondent Police has also received information from the Hospital and they went to record the statement of the third respondent and thereafter, they have initiated enquiry in CSR.No.172 of 2025. Two persons have sustained injuries and they were discharged from the hospital on 21.04.2025. In the meantime, the villagers have represented before the respondent Police that they have amicably resolved the issue and therefore, the respondent Police failed to register a case.

3.Considering the manner in which, the complaint lodged under the provisions of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities)Act, was treated by the respondent Police, this Court by its earlier order dated 24.06.2025 directed the Inspector General of Police, Central Zone, Trichirappalli to file a report. It appears that a report has also been filed by the Inspector General of Police, Central Zone, Trichirappalli.

4.On perusal of the report reveals that the Superintendent of Police, Pudukkottai district issued a memo dated 01.07.2025 to conduct a detailed enquiry for registering the case with a delay of one month.

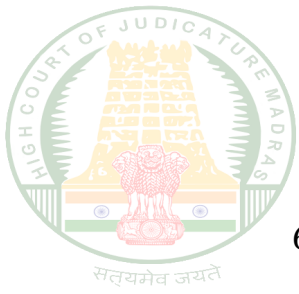
The Additional Superintendent of Police, Head Quarters, Pudukkottai



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has filed a report stating that the Inspector of Police, Keeranur Circle has failed to exercise due diligence and register FIR in a timely manner, amounting to dereliction of duty on his part. The Deputy Superintendent of Police, Keeranur Sub Division exhibited slackness in supervision with respect to this matter and therefore, based on the detailed enquiry report submitted by the Additional Superintendent of Police, Head Quarters, Pudukottai, a disciplinary proceedings was initiated as against the Inspector of Police, Keeranur Circle and Deputy Superintendent of Police in PR.No.75 of 2025, by issuing show cause notice under Rule 3(a) of Tamil Nadu Police Subordinate Service (Discipline and Appeal) Rules.

5.It is further stated in the report that he has conducted a video conference meeting with all DIGs, SPs & DSPs of the Central Zone on 02.07.2025 and issued specific instructions with regard to the implementation of the Scheduled Caste & Schedule Tribes (Prevention of Atrocities) Act, 1989 and has also issued a circular to all the Police Stations.



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6.Though this Court places appreciation for the steps taken by the Inspector General of Police, Central Zone, Trichirappalli, this alone will not cure the defect committed by the respondent Police in registering case on 13.05.2025, for the occurrence taken place on 14.04.2025. This delay, unless properly explained before the trial Court, would affect the entire case of the prosecution. The Investigating Officer shall correct this mistake by admitting the same during trial.

7.Considering the nature of injuries and also considering the manner in which the case has been registered, this Court is not inclined to issue any direction. Accordingly, this criminal original petition is dismissed.

08.07.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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To

- 1.The District and Sessions Judge(Special Court for PCR Cases),
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Pudukkottai, Pudukkottai District.
- 3.The Inspector of Police,
Udayalipatti Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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