



W.P. CrI(MD)No.128 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 11.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.CrI.(MD)No.128 of 2025
WP.MP.CrI.(MD) Nos.31 & 32 of 2025

Alaguponnu

... Petitioner

Vs

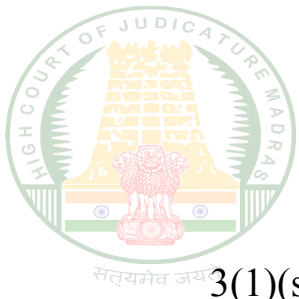
1.The Additional Director General of Police,
(Law and Order),
Chennai.

2.The Superintendent of Police,
Trichy District,
Trichy.

3.The Inspector of Police,
Kattuputhur Police Station,
Trichy District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent vide his proceedings in RC No. 9947564/210/Crime No.1(2)/2024, dated 09.04.2025 and quash the same as illegal, consequently, directing the third respondent to alter the FIR in Crime No.288 of 2024, by incorporating Sections 3(1)(r),



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3(1)(s), 3(2)(va) of the Scheduled Cases and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.Antony Sahaya Prabhakar
Additional Public Prosecutor

ORDER

The petitioner has filed this writ petition challenging the proceedings of the Additional Director General of Police (Law and Order), vide proceedings RC No.9947564/210/Crime No.1(2)/2024, dated 09.04.2025.

2.The case of the petitioner is that her son was found dead on 27.10.2024. The third respondent police has conducted an investigation and registered a case in Crime No.288 of 2024 as against eight persons. The grievance of the petitioner is that though the complaint constitute the offence under the provisions of SC/ST Act, the case has been registered only for the offence under Sections 194(1) BNS @ 191(2), 191(3), 296(b), 115(2), 118(1), 127(2), 303(2), 103(2) of BNS, by omitting the provisions under the Scheduled Castes and Scheduled Tribes (Prevention of



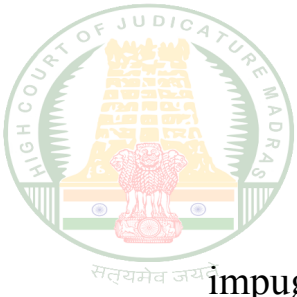
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Atrocities)Act, 1989. The learned counsel further submits that by the impugned order, the Additional Director General of Police has transferred the case in Crime No.288 of 2024, on the file of the Kattuputhur Police station at Trichy to the Superintendent of Police, Namakkal District.

3.This Court considered the submissions of the learned counsel for the petitioner.

4.Admittedly, the case is still in the stage of investigation. In the event if an offence is made out under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act, 1989, it is always open to the respondent police, who is going to conduct the investigation at Namakkal to alter the relevant penal provisions at the time of filing the final report. Moreover, the case has been transferred on the point of jurisdiction. The petitioner being the defacto complainant is having no say in this regard. Therefore, this Court is not inclined to interfere with the



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impugned order, on the ground of inclusion of certain provisions. It is always open to the petitioner to raise her grievances before the Investigation Officer at Namakkal.

5. With such liberty, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

11.06.2025

Index: Yes
Internet: Yes
vrn

To

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Trichy.
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B.PUGALENDHI, J.

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Order made in
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