

Crl.O.P.(MD)No.10293 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10293 of 2025

Murugesan

... Petitioner

versus

1. The Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Town Police Station,
Ramanthapuram.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the 1st respondent to deploy anyone of the honest officer not below the rank of Deputy Superintendent of Police under his jurisdiction so as to conduct re-investigation of the case in Crime No.44 of 2025 pending on the file of the 2nd respondent and to ensure that the final report of the said case is filed within a time frame as prescribed by this Court.



Crl.O.P.(MD)No.10293 of 2025

WEB COPY

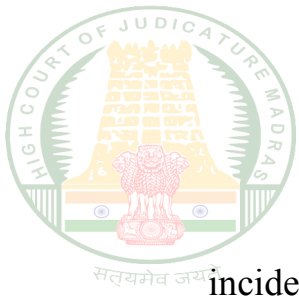
For Petitioner : Mr.R.Anand

For Respondents : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

ORDER

The petitioner, a victim in Crime No.44 of 2025, has filed this petition seeking re-investigation of the case in Crime No.44 of 2025 on the file of the Inspector of Police, Paramakudi Town Police Station, Ramanathapuram.

2. The learned counsel appearing for the petitioner submits that the petitioner has lodged a complaint before the 3rd respondent on 14.02.2025 that he has been assaulted by the accused. The respondent Police has also registered a case in Crime No.44 of 2025 for the offence under Sections 126(2), 296(b), 118(1), 324(2), 351(3) of BNS 2023 and Sections 3(1)(r), 3(1)(s) of SC/ST (POA) Act 1989 and thereafter, they have closed the petitioner's complaint as mistake of fact that the petitioner has sustained injury in an accident. The petitioner was also served with the final report in Crime No.44 of 2025. Therefore, the petitioner has moved this petition seeking re-investigation of the case in Crime No.44 of 2025 that the injury suffered by him is not on account of an accident and it is on account of an



CrI.O.P.(MD)No.10293 of 2025

Incident.
WEB COPY

3. This Court considered the submissions made by the learned counsel for the petitioner.

4. The grievance of the petitioner is that his complaint was not properly enquired by the 3rd respondent Police and it was closed as mistake of fact and therefore, he wants re-investigation to be conducted in Crime No.44 of 2025.

5. The petitioner is having an efficacious remedy before the Special Court for SC/ST (Prevention of Atrocities) Act cases, Ramanathapuram, by filing a protest petition to the final report filed by the respondent police in Crime No.44 of 2025.

6. Since the petitioner is having an efficacious alternative remedy before the Special Court for SC/ST (Prevention of Atrocities) Act cases, Ramanathapuram, this Criminal Original Petition is closed with liberty to the petitioner to file a protest petition before the Special Court for SC/ST (Prevention of Atrocities) Act cases, Ramanathapuram,, where, the final



CrI.O.P.(MD)No.10293 of 2025

WEB COPY

report has been filed by the respondent Police. If any such application is filed by the petitioner, the trial Court shall take a call on the protest petition as per the guidelines issued by the Hon'ble Supreme Court in ***Bhagwat Singh vs. Commissioner of Police and another***, reported in ***AIR 1985 SC 1285***.

19.06.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

ogy

To

1. The Superintendent of Police,
Ramanathapuram District.
2. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.10293 of 2025

B.PUGALENDHI, J.

ogy

Crl.OP(MD)No.10293 of 2025

19.06.2025