



CRL RC(MD)No.1081 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 29.08.2025

PRONOUNCED ON : 20.11.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.1081 of 2023

and

CRL MP(MD)No.13895 of 2023

Pravinkumar

... Petitioner

Vs.

1. The State through,
The Deputy Superintendent of Police,
Office Deputy Superintendent of Police,
Thiruverumbur Range,
Trichy.

2. Inspector of Police,
Navalpatti Police Station,
Trichy City.
(In Crime No. 103 of 2022).

3.Senthil Kumar

4.T.Balamurugan

5.T.Vasantha

6.S.Vennila

... Respondents



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PRAYER: Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C, 1973, to call for the records pertaining to the order passed in CrI.M.P.No.5175 of 2022 dated 01.03.2023 by the learned 1st Additional District Judge (PCR), Trichy, consequently issue appropriate direction for re-investigation of the case in Crime No. 103 of 2022 and set aside the same.

For Petitioner	: Mr.H. Arumugam
For R-1 & R-2	: Mr.M.Sakthikumar, Government Advocate
For R-3 to R-6	: Mr. D. Boopal

ORDER

Preface:

This Criminal Revision case arises from the refusal of the learned I Additional District and Sessions Judge (PCR), Tiruchirappalli, to pass an order in an objection petition filed in a case registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (herein after referred to as SC/ST Act). The petitioner, a victim-complainant, challenges the order dated 01.03.2023 made in CrI.M.P. No.5175 of 2022 in Crime No.103 of 2022, whereby his objection to reject the charge sheet along with the alteration report with the deleted accused Nos. 3 and 4 as filed by the Deputy Superintendent of Police,



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Thiruverumbur Range, Tiruchirappalli District, in Crime No.103/2022, Navalpattu police station dated 22.09.2022 and his plea for re-investigation by an independent Deputy Superintendent of Police, other than the present Investigating Officer, was summarily dismissed.

2. The grievance of the petitioner is that the investigation was conducted in a biased and incomplete manner, ignoring material evidence such as CCTV footage and eye-witness accounts, resulting in the unjust deletion of two accused persons from the final report. The revision, therefore, raises a larger question of significance: whether a learned Trial Court, exercising jurisdiction under the SC/ST Act, can dismiss an objection petition seeking re-investigation without recording reasons, and whether such an unreasoned order can withstand the test of judicial scrutiny.

3. This Court is called upon to examine whether the impugned order reflects proper judicial application of mind and whether a direction for fresh or further investigation is warranted in the interest of justice and to uphold the sanctity of fair investigation mandated under the Constitution and the criminal procedural law.



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Facts of the objection petition:

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4. The petitioner/*defacto* complainant lodged a complaint before the second respondent-police, Navalpattu Police Station, Tiruchirappalli, alleging that on 29.06.2022 at about 9.00 a.m., the respondents 3 to 6, along with their henchmen, came to his residence and damaged the compound wall using a Brookline machine. When the petitioner and his wife questioned the act, the respondents 3 and 4 allegedly assaulted the petitioner with an iron rod while the respondents 5 and 6, along with others, restrained him. It was further alleged that the respondents 3 and 4 used abusive language referring to the petitioner's Scheduled Caste identity and assaulted both the petitioner and his wife, causing simple injuries and humiliation on caste grounds.

5. Based on the complaint, Crime No.103 of 2022 was registered for offences under Sections 294(b), 324, 342, 354, and 506(ii) IPC, and Sections 3(i)(r), 3(i)(s), and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The investigation was undertaken by the 1st respondent, the Deputy Superintendent of Police, Thiruverumbur Range.



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6. After completion of investigation, a charge sheet was filed only against the respondents 3 and 4, and the names of respondents 5 and 6, who were initially shown as accused, were dropped. Aggrieved by the said omission, the petitioner filed an objection petition in Crl.M.P. No. 5175 of 2022, praying for re-investigation of the case by any other Deputy Superintendent of Police other than the 1st respondent and for verification of CCTV footage installed near his residence, which, according to him, would substantiate the active participation of all the assailants.

7. *Gist of the impugned order:*

The learned I Additional District Judge (PCR), Tiruchirappalli, by order dated 01.03.2023, dismissed the petitioner's objection petition.

The order reads as follows:

- (i) Written objections filed by the complainant were perused.
- (ii) The complainant's version to the Doctor records that he was attacked by four known persons.
- (iii) The statements of independent witnesses, namely, Vanitha, Sathishkumar, Arjunan, Stalin, and Premkumar, recorded under Section 164 Cr.P.C., 1973, indicate that "Senthilkumar's wife and



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mother came and pacified the quarrel.”

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(iv) The Court held that the case did not warrant re-investigation.

(v) The complainant was advised to proceed by way of private complaint, if so advised.

Accordingly, the petition was closed without granting the relief sought. No specific reasoning was recorded as to why the prayer for re-investigation was declined.

Grounds of Revision:

8. The petitioner contends that the impugned order is contrary to law and the weight of evidence, as the learned Trial Court has dismissed his petition without assigning valid or cogent reasons. It is urged that the Investigating Officer conducted a biased investigation, failing to examine independent witnesses, ignoring CCTV footage, and obtaining statements only from relatives of the accused. The learned Trial Court's order is non-speaking and devoid of reasoning, which vitiates the decision. Reliance is placed on the decision of this Court in *Rathinaamal v. Superintending Engineer*, ILR 1995 (2) Mad 161, wherein non-speaking orders were deprecated.



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9. It is contended that the omission of the accused Nos.3 and 4 (Respondents 5 and 6 herein) from the charge sheet is deliberate and not supported by any evidence. The petitioner asserts that since the FIR and statements under Section 161 Cr.P.C., 1973, specifically mention the names and overt acts of all the assailants, and there exists CCTV footage corroborating his version, re-investigation by a neutral officer is warranted to ensure justice.

Submissions:

10. The learned counsel for the petitioner submitted that the 1st respondent failed to investigate impartially, and the exclusion of accused Nos.3 and 4 from the charge sheet amounts to suppression of material facts. It was further argued that the learned Trial Court's order is a cryptic, non-speaking one, passed mechanically without any discussion of evidence or reasons for rejecting re-investigation. The learned counsel emphasized that when allegations under the SC/ST Act are involved, an impartial and transparent investigation by an independent officer is essential to uphold the confidence of the victim in the criminal justice process. It was also pointed out that the CCTV footage mentioned in the complaint has not been collected, verified, or produced before the learned Trial Court.



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11. On the other hand, the learned Government Advocate (Crl. side) appearing for the respondents 1 and 2 submitted that the investigation was completed in accordance with law and statements of independent witnesses were recorded. Their versions, as found in the Section 164 Cr.P.C., 1973, statements, reveal that the incident was a quarrel between the families, and the alleged caste-based abuse was not substantiated. Hence, the Investigating Officer rightly confined the charge sheet only to the respondents 3 and 4. It was argued that the petitioner's allegations of bias are unsubstantiated and that the learned Trial Court has correctly advised the petitioner to pursue a private complaint, which is an efficacious remedy under Section 200 Cr.P.C., 1973.

12. *Point for Determination:*

Whether the impugned order dated 01.03.2023 passed in Crl.M.P. No.5175 of 2022 dismissing the petitioner's request for re-investigation suffers from non-application of mind, absence of reasons, or procedural irregularity, warranting interference by this Court in exercise of revisional jurisdiction?



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13. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. side) appearing for the respondents, and the learned counsel appearing for the respondents 3 to 6 and carefully perused the materials available on record.

Analysis:

14. Upon careful perusal of the impugned order, it is evident that the learned Trial Court merely reproduced portions of the witness statements and summarily concluded that re-investigation was unwarranted. The order does not disclose any independent reasoning or judicial application of mind as to whether (i) the omission of two accused from the charge sheet was justified, (ii) the CCTV evidence was duly verified, or (iii) the Investigating Officer complied with the procedural safeguards mandated under the SC/ST Act and its Rules.

15. A non-speaking order, especially in a matter involving grave allegations of caste-based atrocities, cannot withstand judicial scrutiny. The Hon'ble Supreme Court has consistently held that reasoned orders are the lifeblood of judicial decision-making, serving as a guarantee against arbitrariness and facilitating appellate review. The absence of



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reasons amounts to denial of justice.

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16. Further, under the scheme of criminal procedure, re-investigation or further investigation can be directed in appropriate cases when the investigation appears tainted, perfunctory, or biased. The petitioner's grievance that the Investigating Officer failed to collect CCTV footage, which could potentially reveal the participation of omitted accused persons, constitutes a valid ground for further probe. The Court below failed to address this crucial contention.

17. The learned Trial Court's advice that the petitioner may proceed by filing a private complaint under Section 200 Cr.P.C., 1973, while legally permissible, does not cure the defects of an incomplete or biased investigation in a cognizable offence. The State's duty to conduct a fair investigation cannot be abdicated by shifting the burden onto the victim. Therefore, this Court is of the considered view that the impugned order suffers from non-application of mind and procedural infirmity, warranting interference under revisional jurisdiction.



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18. In the result, the order dated 01.03.2023 passed in CrI.M.P. No.5175 of 2022 in Crime No.103 of 2022 on the file of the learned I Additional District and Sessions Judge (PCR), Tiruchirappalli, is set aside.

19. The matter is remitted for re-investigation by another Deputy Superintendent of Police, to be nominated by the Superintendent of Police, Tiruchirappalli District, other than the present Investigating Officer. The newly appointed officer shall verify the CCTV footage and other material evidence in accordance with law and file a supplementary report within a period of eight (8) weeks from the date of receipt of a copy of this order.

20. Accordingly, the Criminal Revision case is allowed. Consequently, connected miscellaneous petition is closed.

Epilogue:

21. The criminal justice system derives its credibility from the fairness and thoroughness of investigation. When allegations involve



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offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, sensitivity, neutrality, and accountability are indispensable. The Trial Courts, as guardians of procedural fairness, are expected to ensure that investigations remain untainted and complete, especially where evidence capable of revealing truth lies within easy reach.

20.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

1. 1st Additional District Judge (PCR), Trichy
2. The Deputy Superintendent of Police,
Office Deputy Superintendent of Police,
Thiruverumbur Range,
Trichy.
3. The Inspector of Police,
Navalpatti Police Station,
Trichy City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

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