



Crl.O.P.(MD)No.14739 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14739 of 2025

Veluthai

... Petitioner/Defacto Complainant

Vs.

1.The State of Tamil Nadu, Rep. by,
The Inspector of Police (South),
Madurai City Police Office,
Madurai District.

2.The Superintendent of Police,
Madurai.

3.The Inspector of Police,
Kallikudi Police Station,
Madurai.

4.The Superintendent of Police,
C.B.C.I.D.,
Madurai.

5.The Inspector of Police,
C.B.C.I.D., Thirumangalam,
Madurai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to issue a direction, directing the 2nd respondent to transfer the investigation in Crime No.150 of 2025 dated 20.08.2025 from the file of the 3rd respondent and



transfer the same to the file of the 5th respondent for a fair, impartial and de-novo investigation.

For Petitioner : Mr.M.Divakaran
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks for a direction to the second respondent to transfer the investigation in Crime No.150 of 2025 dated 20.08.2025 from the file of the third respondent to the fifth respondent for a fair, impartial and de-novo investigation.

2. The grievance of the petitioner is that though the victim/petitioner belongs to the Scheduled Caste community, the third respondent had not registered the case for the offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act on the basis of her complaint dated 20.08.2025.

3. The learned Additional Public Prosecutor, per contra, would submit that the statement of the victim was recorded as such and that there is nothing in the statement to suggest that the offence was committed by the accused



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against the petitioner since she belonged to the SC/ST community. He would further submit that if the investigation discloses any offence under the SC/ST Act, the third respondent would certainly alter the offences.

4. A reading of the complaint would show that there is no allegation under the SC/ST Act. Therefore, this Court is of the view that it cannot be presumed that the investigation is not being conducted properly. However, the third respondent shall conduct a fair investigation and if, during the course of investigation, the third respondent finds that an offence under the SC/ST Act or any other offence is committed, it is open to him to alter the offences in the manner known to law.

5. Accordingly, this Criminal Original Petition stands closed.

08.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

1. The Inspector of Police (South),
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Madurai District.
2. The Superintendent of Police,
Madurai.
3. The Inspector of Police,
Kallikudi Police Station,
Madurai.
4. The Superintendent of Police,
C.B.C.I.D.,
Madurai.
5. The Inspector of Police,
C.B.C.I.D., Thirumangalam,
Madurai.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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