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CRL OP No. 15727 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15727 of 2026

Manjunath

..Petitioner(s)

Vs

1. State rep.by
The Inspector of Police,
Thally Police Station,
Denkanikottai Taluk,
Krishnagiri District.

2. Gunasekar

3. Manjunath

..Respondent(s)

To set aside the docket order for return dated 08.09.2025 passed by the Honble Principal Sessions Judge, Krishnagiri in CC.SR.No.460 of 2023 and any other such orders as this Honble court.

For Petitioner(s): Mr.S. Praveennath

For Respondent(s): Mr.A.Amarnath,
Government Advocate (Crl. Side), For R1



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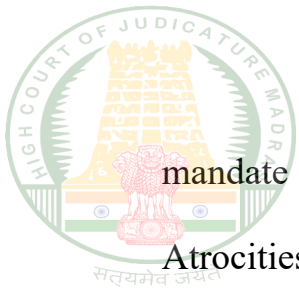


ORDER

This Criminal Original Petition has been filed seeking to set aside the docket order of return dated 08.09.2025 passed by the Principal Sessions Judge, Krishnagiri in CC.SR.No.460 of 2023.

2. The case of the petitioner is that he is residing in his ancestral property, where a small cattle shed is attached to his house. The accused persons, who belong to the same Village and to a dominant community, have been continuously harassing him on account of his belonging to a Scheduled Caste Community. It is alleged that the accused persons unlawfully trespassed into his property, abused him using caste name and demolished portion of his hut and cattle shed using sickles and axes. On the basis of a complaint lodged by the petitioner on 04.05.2022, a case in Crime No.267 of 2022 was registered for the offences punishable under Sections 147, 148, 294(b), 427, 506(ii) IPC and Sections 3(1)(r), 3(1)(s), 3(1)(z), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The contention of the petitioner is that despite repeatedly approaching the respondent police to ascertain the progress of the investigation, he was not informed of the status of the case, which, according to him, is contrary to the

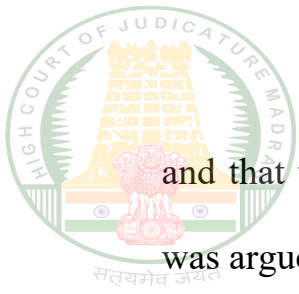


mandate of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Subsequently, he came to know that a final report had been filed treating the case as a mistake of fact without conducting a fair and proper investigation.

4. Aggrieved by the closure report, the petitioner filed protest a petition before the Principal Sessions Judge, Krishnagiri on 17.04.2024. Then R.C.S.No.5 of 2024 was periodically adjourned for filing of the respondent Police's reply from 04.06.2024 to 07.01.2025. Thereafter, on 09.01.2025, the first respondent made a submission that the de facto complaint in Crime No.267 of 2022 was willing to close the case and gave an endorsement to that effect. Recording the said submission, the case was closed.

5. The petitioner submits that no such endorsement was ever given by him. Subsequently, the petitioner filed a copy application on 18.12.2025 to get the alleged endorsement. However, the copy application was returned stating that no such endorsement was made. Therefore, the order dated 09.01.2025 in R.C.S.No.5 of 2024 is not sustainable.

6. The learned Government Advocate (Crl. Side) submitted that the on the complaint of the petitioner, investigation was conducted and a closure report was filed. It was further contended that notice had been served on the petitioner



and that the proceedings were closed after recording his consent. Therefore, it was argued that the present petition is devoid of merit.

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7. Considering the submissions made on either side and perusal of materials, it is seen that the petitioner had not made any endorsement for closure of the proceedings in R.C.S.No.5 of 2024. Significantly, the copy application filed by the petitioner seeking a copy of the alleged endorsement was returned with an endorsement stating that no such document available. In the absence of any record evidencing the consent of the petitioner, the basis on which the protest petition came to be closed cannot be sustained. Therefore, the order dated 09.01.2025 passed in R.C.S.No.5 of 2024 becomes unsustainable in law and is liable to be set aside.

8. Accordingly, the order dated 09.01.2025 passed in R.C.S.No.5 of 2024 is set aside. Consequently, the docket order of return dated 08.09.2025 passed by the Principal Sessions Judge, Krishnagiri in CC.SR.No.460 of 2023 is set aside. The petitioner is permitted to file his objections to the closure report and raise any additional grounds available to him. The concerned Court shall afford an opportunity of hearing to the petitioner and thereafter pass appropriate orders on merits and in accordance with law.



9. With the above directions, this Criminal Original Petition stands
allowed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1. The Principal Sessions Judge, Krishnagiri
2. The Inspector of Police,
Thally Police Station,
Denkanikottai taluk,
Krishnagiri district.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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