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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5986 of 2026
and
Crl.M.P(MD)Nos.6505 & 6506 of 2026

1. M.Manikandan
2. A.Selvam
3. M.Adithya
4. M.Aravinth

...Petitioners/Accused Nos.1 to 4

Vs

1. The State of Tamilnadu,
Rep by the Deputy Superintendent of Police,
Oomatchikulam Division,
Madurai District.

2. State of Tamilnadu,
Rep by Inspector of Police,
Oomachikulam Police Station,
Madurai District,
Crime No.15/2023

3. C.Irulappan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining to the impugned charge sheet in Spl.SC.No. 65/2023 on the file of the III Additional District and Sessions Court (PCR), Madurai, dated 17.07.2023 in Crime No.15/2023 dated 28.03.2023 for the



offences under Sections 341, 294(b), 506(ii) of IPC and Section 4 of TN prohibition of Harassment of Women Act and Sections 3(1)(r), 3(1)(s) of SC/ST Act, 1989 and quash the same as illegal.

For Petitioner : M/s.T.Thirumurugan

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1& R2

ORDER

The present petition has been filed by A1 to A4 in Spl.S.C.No.65 of 2023, on the file of the III Additional District and Sessions Court(PCR), Madurai, to quash the said charge sheet wherein the petitioners are alleged with the offences under Sections 341(2), 294(b) and 502(ii) r/w Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, along with Section 3(1)(r), (3)(1)(s) of the SC/ST (PoA) Act, 1989.

2. According to the learned Counsel appearing for the petitioner, A1, A3 and A4 belong to Schedule Caste community and therefore, the charges as against them cannot be made under the SC/ST, PoA Act, 1989.



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3. The learned Counsel appearing for the petitioner further submitted that the charge sheet does not have any indication whether the concerned Deputy Superintendent of Police has been authorised as per Rule 7 of the SC/ST, (Prevention of Atrocities) Rules, 1995 to conduct the investigation. He also relied upon a decision of this Court in ***Crl.O.P.No.16989 of 2019, dated 21.11.2022*** between ***S.Ganesh Anjineyar Sastri Vs. the Assistant Commissioner of Police and another***, wherein this Court was pleased to quash the charge sheet on the ground that the charge sheet never indicated about the authorisation given to the concerned Deputy Superintendent of Police under Rule 7 of the above said Rule.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, submitted that only the second accused has been charged under the SC/ST Act and not the other accused persons. He further submitted that Chandrasekaran, Deputy Superintendent of Police, who had filed the charge sheet, had been authorised by the Superintendent of Police, Madurai District, on 06.06.2023, to conduct the investigation and this proceeding is forming part of the charge sheet as one of the documents.



5. I have considered the submissions made on either side and perused the materials available on record.

6. As rightly pointed out by the learned Additional Public Prosecutor appearing for the respondents 1 and 2, the charges under the SC/ST have been levied only as against the second accused who is not a Schedule Class person. As far as the mentioning of the authorisation in the charge sheet as contemplated under Rule 7 of the SC/ST, (Prevention of Atrocities) Rules, 1995, is concerned, the authorisation letter is forming part of the charge sheet as one of the documents. In such circumstances, no other legal grounds have been raised to consider the quashing of the charge sheet. Therefore, there are no merits in the petitioner.

7. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are also closed.

8. The personal appearance of the petitioners shall be dispensed with unless they are directed to appear before the Court specifically.

26.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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To

1. The learned III Additional District and Sessions Judge,
(PCR), Madurai.
2. The Deputy Superintendent of Police,
Oomatchikulam Division,
Madurai District.
3. The Inspector of Police,
Oomachikulam Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

RJR

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