

SLP(Crl.)No. 3327 OF 2000
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IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No. of 2001@@
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(Arising out of SLP (Crl.)No.3327 of 2000)

C. Benjamin Paulraj ...Appellant (s)

Versus

S.P. Solaimalai & Ors. ...Respondent(s)

Criminal Appeal No. of 2001@@
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(Arising out of SLP (Crl.)No.4113 of 2000)

O R D E R~@@
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Leave granted.

This appeal is against the impugned order of the High Court refusing to expunge certain alleged remarks against the appellant, C. Benjamin Paulraj, who was the Inspector of Police, Ambathurai Police Station from 20.01.1993 to 05.07.1996. In Criminal O.P. No. 4268/99, the Inspector of Police, Ambathurai Police Station had been arrayed as Respondent No.3. The High Court in the said judgment came to the conclusion that the third respondent had deliberately and with a view to take sides with the accused party, did not investigate the case in the right direction. In paragraph 6 of the judgment, there has been certain further remarks that a thorough investigation ought to have been done by the 3rd respondent who, for reasons best known to him, it has been side-tracked and now prays that the 3rd respondent has given a final report before the Judicial Magistrate as if the case is undetected.

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All the aforesaid observations obviously, therefore, relate to the Inspector of Police who has been arrayed as 3rd respondent, who gave a final report. Since Paulraj had already been out of the Police Station since July, 1996 and the final report was given only on 20th December, 1996, the said observation/remarks would not relate to Shri Paulraj. We, therefore, dispose of these appeals by holding that the observations of the High Court do not relate to the present appellant - C. Benjamin Paulraj.

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(G.B. PATTANAIAK)@@
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New Delhi;
December 10, 2001

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(BRIJESH KUMAR)@@
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ITEM No.38

Court No. 3

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 3327/2000

(From the judgement and order dated 26/04/2000 in CRLMP 1970/2000
of The HIGH COURT OF MADRAS)

C. BENJAMIN PAULRAJ

Petitioner (s)

VERSUS

S.P. SOLAIMALAI & ORS.

Respondent (s)

(With Appln(s). for stay)
(With Office Report)

With

SLP(Crl.)No.4113/2000

Date : 10/12/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. P.N. Misra, Sr. Adv.
Mr. T.Raja,Adv.

For Respondent (s) Mrs.Revathy Raghavan,Adv.

UPON hearing counsel the Court made the following
O R D E R

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Delay condoned.
Leave granted.
The appeals stand disposed of in terms of the signed
order.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master

(Signed order is placed on the file)