

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.9196/2025

[Arising out of impugned final judgment and order dated 16-06-2025 in CRLP No. 17521/2025 passed by the High Court of Judicature at Madras]

H.M.JAYARAM

Petitioner(s)

VERSUS

THE INSPECTOR OF POLICE & ANR.

Respondent(s)

IA No. 146724/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 146725/2025 - EXEMPTION FROM FILING O.T.

IA No. 146726/2025 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 19-06-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE MANMOHAN

[PARTIAL COURT WORKING DAYS BENCH]

For Petitioner(s) : Mr. Aditya Kumar Choudhary, Adv.
Mr. Vel Murugan, Adv.
Mr. Sandeep Pandey, Adv.
Mr. Venkatesh Mohanraj, Adv.
Mr. Rajesh Singh Chauhan, AOR

For Respondent(s) : Mr. Siddhartha Dave, Sr. Adv.
Ms. Misha Rohatgi Mohta, AOR
Mr. Amulya Upadhyay, Adv.
Mr. Ayush Kashyap, Adv.

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

1. We have heard Mr. Aditya Kumar Choudhary, learned counsel for the petitioner and Mr. Siddhartha Dave, learned Senior Counsel for respondent No.1 - State.
2. Yesterday, i.e., on 18.06.2025, we had passed the following order:

"1. Permission to file Special Leave Petition is granted.

2. In the course of hearing, learned counsel for the petitioner submits that yesterday petitioner was released at around 5 p.m. However, he has been placed under suspension by the State Government.

3. Learned counsel for the respondent-State on the other hand submits that petitioner was not arrested and he has joined investigation.

4. On a query by the Court, learned counsel for the respondent-State prays for time to obtain instructions as to whether the order of suspension, in view of the High Court's order, would be withdrawn.

5. List tomorrow (i.e., on 19.06.2025)."

3. Today, Mr. Siddhartha Dave, learned Senior Counsel for respondent No.1 - State submits on the basis of written instructions that petitioner was not suspended because of the order of the High Court; rather, he was suspended under Rule 3(3) of the All India Services (Discipline and Appeal) Rules, 1969 which empowers the disciplinary authority to place a member of the service (Indian Police Service in this case) in respect of, or against, whom an investigation, inquiry or trial relating to a criminal charge is pending. He further submits that presently the investigation is under way and depending on the report of the Investigating Officer, a decision would be taken regarding continuance or otherwise of the suspension order of the petitioner.

4. After hearing learned counsel for the parties, we are of the view that petitioner would have his remedies to assail the order of suspension. However, looking into the controversial circumstances in which the impugned order came to be passed, we are of the view that investigation of this case may be handed over to CBCID. In

fact, Mr. Siddhartha Dave, learned Senior Counsel for respondent No.1 - State submits on instructions that the State would have no objection to the transfer of such investigation. That apart, we also request learned Chief Justice of the High Court of Judicature at Madras to assign Criminal O.P. No.17521/2025 and other related / connected matters arising out of Crime No.101/2025 to another Bench.

5. Consequently, the direction of the High Court to the respondents to secure and take action against the petitioner is hereby set aside.

6. Special Leave Petition is disposed of. Pending application(s), if any, shall stand disposed of.

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)