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**Crl.O.P.(MD).No.17017 of 2026**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 11.08.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**Crl.O.P(MD)No.17017 of 2026**

Annakuchi

... Petitioner/

Victim Mother LW4

Vs

The State Represented by its  
The Inspector of Police,  
All Women Police Station,  
Vadamadurai, Dindigul District.  
Crime No.7 of 2025

... Respondent/Complainant

**PRAYER** : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the respondent police not to harass, compel or insist upon the petitioner or the victim girl to undergo any further DNA test in connection with Spl.S.C.No.137 of 2025 pending on the file of the learned Special Judge under the POCSO Act, Dindigul.

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : Mr.B.Arun  
Government Advocate (Crl.Side)



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**ORDER**

The present petition has been filed by mother of the victim in Spl.S.C.No.137 of 2025 on the file of the learned Special Judge under the POCSO Act, Dindigul, seeking a direction as against the respondent police not to harass or compel or insist upon the petitioner or the victim girl to undergo any further DNA test in connection with the above said criminal case.

2. A perusal of the records reveal that the petitioner's daughter is a victim of sexual offence and FIR was registered in Crime No.7 of 2025 on the file of the respondent police which culminated in filing of a charge sheet before the learned Special Judge (POCSO Act), Dindigul, in Spl.S.C.No.137 of 2025.

3. A perusal of the charge sheet reveals that the victim child is a special child and she was found to be six months pregnant and she has undergone medical termination of pregnancy. The police authorities would like to undertake DNA test and for the said purpose FTA Card-2 has been submitted



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before the concerned Court on 07.07.2026. A summon has been issued by the concerned Court for the appearance of the special child before the concerned Court for taking DNA test. In these circumstances, the present petition has been filed before this Court.

4. According to the learned counsel appearing for the petitioner, already the victim child was harassed and several tests have been taken and in such circumstances the victim child may not be harassed.

5. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that the victim child's elder sister's husband is the accused in the present case and in such circumstances, the victim's mother is trying to protect her son-in-law and she is refusing to produce the child before the Court for the purpose of DNA test.

6. Heard the learned counsel on either side and perused the materials available on record.



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7. It could be seen from the records that the Court has already issued a summon to the petitioner herein for producing the special child before the concerned Court for taking DNA test and in such circumstances, as and when the petitioner receives a summon, the petitioner is directed to produce the child before the concerned Court for the DNA test. The learned Judge, POCSO Court as well as the respondent police are directed to complete the test on the same day and shall not harass the petitioner or her daughter by directing them to appear before the Court again and again for DNA test.

8. With the above said observations, this Criminal Original Petition is disposed of.

**11.08.2026**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes / No  
ebsi



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1. The Special Judge (POCSO Act),  
Dindigul,
2. The Inspector of Police,  
All Women Police Station,  
Vadamadurai,  
Dindigul District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**R.VIJAYAKUMAR,J.**

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