

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2021

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2202 of 2021

Shalini Sundarraaj

...Petitioner

Vs

The State
Represented by its
Inspector of Police
All Women Police Station
Pulianthope, Chennai-600 012
(Crime No.6 of 2020)

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Special Court for the Exclusive Trial of POCSO Act Cases at Chennai to take the charge sheet on file which was filed by the respondent police in connection with Crime No.6 of 2020 and to proceed thereafter in accordance with law.

For Petitioner : Mr.Govind Chandrasekhar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction to the Court below to act on the final report filed by the respondent police in Crime No.6 of 2020.

2. The petitioner is the aunt of the victim girl. Based on the complaint given by the grand mother of the victim girl, an FIR came to be registered by the respondent police in Crime No.6 of 2020 for an offence under Section 5(1)(m)(n) and 6 of the POCSO Act 2012.

3. It is brought to the notice of this Court that the investigation has been completed and the final report has also been filed before the Special Court on 23.10.2020. The grievance of the petitioner is that the Special Court is yet to take cognizance of the final report and there is absolutely no progress in the last four months. Left with no other option, the present petition has been filed.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. In the considered view of this Court, the Court below ought not to have postponed taking cognizance of the final report filed by the respondent police, more particularly since the offence involved is under POCSO Act. Section 35 of the POCSO Act itself provides for time lines at each stage and it contemplates completion of the entire proceedings within one year.

6. In view of the above, there shall be a direction to the Court below to take cognizance of the final report filed by the respondent police within a period of two weeks from today. Thereafter, the Court below shall complete the proceedings by conducting the trial on day-to-day basis, within a period of three months. The Court below shall also submit a compliance report after the completion of proceedings.

7. This Criminal Original Petition is disposed of, with the above direction.

Sd/-

Asst.Registrar (CS VIII)

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Sub Asst. Registrar

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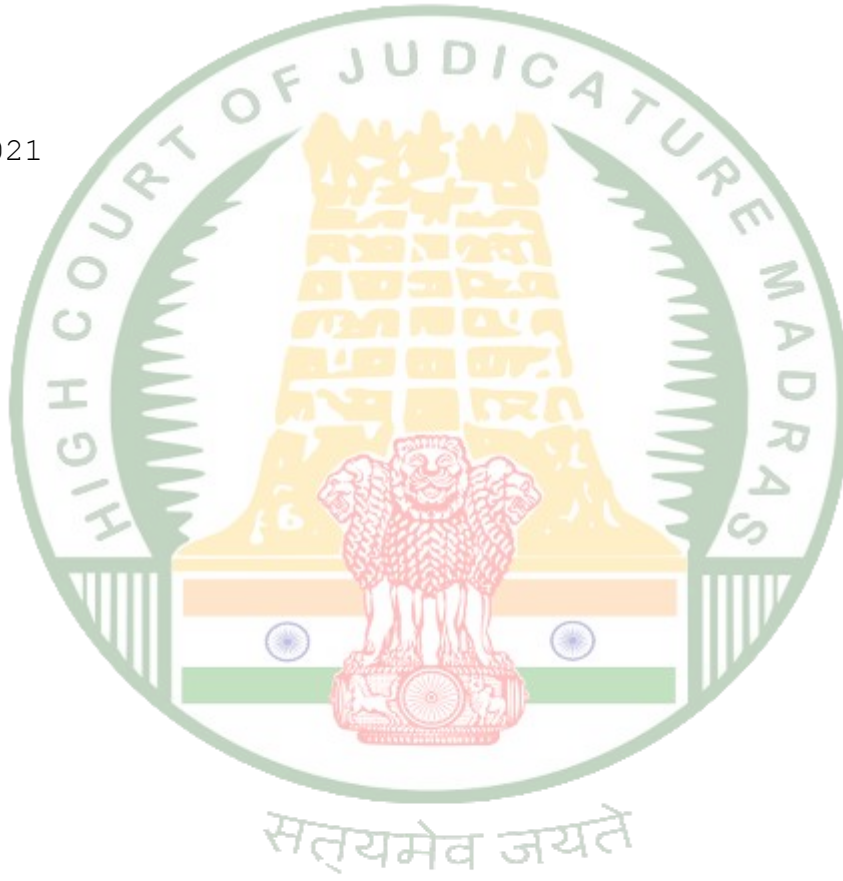
1. The Special Court for the Exclusive Trial of POCSO Act Cases at Chennai
2. Inspector of Police
All Women Police Station
Pulianthope, Chennai-600 012

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Govind Chandrasekhar Advocate sr7556

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