

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18296 of 2020

Ashok Kumar

...Petitioner/Accused 1

.Vs.

1.State rep.by

The Inspector of Police,
AWPS, Ammapettai P.S.
Salem.

(Crime No.10/2020)

...1st Respondent/Complainant

2.M.Sumathi

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in Spl.SC.No.43/2020, pending on the file of the Special Court for the Exclusive trial the Protection of Children from Sexual Offences Act, 2012 cases Salem quash the same.

For Petitioner : Mr.V.Ramakrishnan

For Respondents : Mr.C.Raghavan

Government Advocate (Crl.Side)

O R D E R

This petition has been filed seeking to quash the proceedings in Spl.SC.No.43/2020, pending on the file of the Special Court for the Exclusive trial the Protection of Children from Sexual Offences Act, 2012, Salem.

2. The grounds raised by the counsel for the petitioner is all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in Spl.SC.No.43/2020, within a period of three months from the date of receipt of copy of this order. Consequently connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

KP

To

1.The Inspector of Police,
AWPS, Ammapettai P.S.
Salem.

2.Special Court for the Exclusive trial
the Protection of Children from Sexual Offences,
Salem.

3.Public Prosecutor
High Court,
Chennai.

CRL.O.P.No.18296 of 2020

SV(CO)
KKV/11/02/2021



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