



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.24175 of 2021

Delia Praveen

... Petitioner/Victim's Mother

Versus

State Rep. by  
The Inspector of Police,  
All Women Police Station,  
Perur,  
Coimbatore District,  
Crime No.15 of 2021

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 Cr.P.C. to issue a direction, directing the respondent to not to harass the petitioner's Daughter's (Victim Girl) School (Avila Convent Matriculation Higher Secondary School, Coimbatore District), where she is studying, in the name of investigation.

For Petitioner : Mr.Y.Nalini Santhakumari

For Respondent : Mr.E.Raj Thilak  
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to issue a direction, directing the respondent to not to harass the petitioner's Daughter's (Victim Girl) School (Avila Convent Matriculation Higher Secondary School, Coimbatore District), where she is studying, in the name of investigation.

2.The petitioner is the mother of the victim girl. The petitioner's daughter, who had lodged a complaint against the petitioner's husband and a case in Crime No.15 of 2021 came to be registered for the offence under Sections 5(I), 5(m), 5(n), 5 (q) and 6 of the Protection of Child from Sexual Offence Act [POCSO Act] and 506(ii) IPC.



3. During investigation, the respondent police had visited the victim's school viz., Avila Convent Matriculation Higher Secondary School, Coimbatore District, where she is studying twelfth standard and often calling the School Officials to produce the documents as well as calling the victim girl for enquiry, which cause harassment and embarrassment to the victim girl. In view of the same, the entire school has come to know about the case.

4. The learned Additional Public Prosecutor submits that the victim girl had lodged a complaint against her father. With regard to verify and confirm the age of the victim, the respondent police had gone to the school of the victim, enquired the Principal of the School and verified the school records. The respondent police not conducted any enquiry with the victim girl in the school premise.

5. Considering the submissions and on perusal of the materials, this Court finds that in the POCSO Act cases, the Investigating Officer has to follow Section 24 of the Act, while recording the statement of Victim. In this case, it would be appropriate for the respondent to follow the same procedure, even when the Investigating Officer visiting the victim girl's school or any other places connected with the victim girl, so that the identity and secrecy is maintained, and no embarrassment caused.

6. With the above observation, this Criminal Original Petition stands disposed of.

Sd/-  
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,  
All Women Police Station,  
Perur, Coimbatore District.

2. The Public Prosecutor,  
High Court, Madras.

CRL.O.P.No.24175 of 2021

RR(CO)  
SU(03/01/2022)