



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.13029 of 2021

and

Crl.M.P. (MD)No.6696 of 2021

A.Paramasivam ... Petitioner / Sole Accused
Vs.

1.The Inspector of Police,
All Women Police Station,
Pudukottai,
Thoothukudi District. ... 1st Respondent / Complainant

2.Minor _____
... 2nd Respondent /
Defacto Complainant

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records of the case in Crime No.10/2021 under Sections 9(n), 9(1) and 10 of POCSO Act, 2012, pending investigation on the file of the first respondent police and to quash the same.

For Petitioner : Mr.C.K.Chandra Sekar
for Mr.S.Ashok

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor for R1
Mr.K.K.Anna for R2

O R D E R

This Criminal Original Petition has been filed for quashing the case in Crime No.10 of 2021 registered on the file of the first respondent, for the offences under Sections 9(n), 9(1) and 10 of POCSO Act, 2012.

2. The petitioner states that the so called victim is none other than his own daughter, and that she had given a statement under Section 164 Cr.P.C. completely exonerating him. This contention of the petitioner is confirmed by the respondent police also. Yet this Court will not be justified in quashing the proceedings, because the case involves offences under Sections 9(n), 9(1) and 10 of POCSO Act, 2012.



3. The learned counsel appearing for the second respondent states that the second respondent was pressurised to give complaint against the petitioner herein. These are matters that will have to be established only in a regular trial. It is not possible for this Court to grant any relief in this quash petition.

4. Leaving open the petitioner's contentions and remedies, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mga/csm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Inspector of Police,
All Women Police Station,
Pudukottai,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.13029 of 2021
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