



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.R.C.NO.441 OF 2022

Gowtham

... Petitioner/Accused

Versus

The State Rep. by
The Inspector of Police,
Thudiyalur AWPS,
Coimbatore.

... Respondent/Complainant

PRAYER:-

Criminal Revision Case is filed under Section 397 r/w 401 of Cr.P.C., to call for the records in C.M.P.No.155 of 2022 in Spl.C.C.No.32 of 2022 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore and set aside the order, dated 18.03.2022 as not maintainable.

For Petitioner : Mr.A.Praveen

For Respondent : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

ORDER

This Revision Case is filed as against the order passed by the learned Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, dated 18.03.2022 in Crl.M.P.No.155 of 2022 in Spl.C.C.No.32 of 2022.

2. A perusal of the impugned order in the Revision Case, it is clear that the prosecution filed an application to alter the section of the charge because the victim was less than 12 years of age. Apart from the altering the relevant section on the basis of the age, neither any new fact is introduced nor any other additional evidence is brought in or the nature of the charge is altered, except to mention the correct provisions of



law and therefore, that would not in any manner vitiate the defence or cause prejudice to the accused.

3. In that event, no exception can be taken for the order of the Trial Court in allowing the Criminal Revision Case. Therefore, no merits in the present Criminal Revision Case and accordingly, the same is dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

grs

To

1. The Judge,
The Special Court for Exclusive
Trial of Cases under POCSO Act,
Coimbatore.
2. The Inspector of Police,
Thudiyalur AWPS,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.Praveen Alexander, Advocate, S.R.No.34832

CRL.R.C.NO.441 OF 2022

AK-II(CO)
PBS/20/06/2022