



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P. [MD] .No.11499 of 2020

and

CRL.M.P. [MD]Nos.5258 & 5259 of 2020

S.Ravichandran

... Petitioners / Sole Accused

Vs.

The State Rep. by its

1.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.
Crime No.370 of 2017

... 1st Respondent / Complainant

2.Mr.P.Sathiyanarayana, M.A.PhD.,
District Child Protection Officer,
District Child Protection Unit,
Combined Government Departments Campus-II,
District Collectorate Campus,
Theni - 625 531,
Theni District.

... 2nd Respondent / Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records relating to the proceedings Spl.S.C.No.15 of 2020 on the file of the learned Mahila Court / Fast Track Court, Theni and quash the same.

For Petitioner : No Appearance

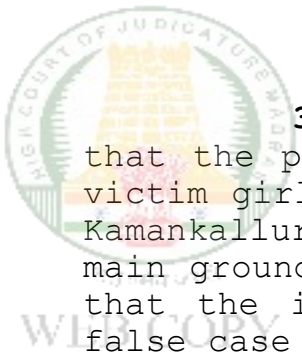
For R1 : Mr.A.Thiruvadikumar,
Additional Public Prosecutor.

For R2 : No Appearance

ORDER

This Criminal Original Petition is filed to quash the final report filed in Spl.S.C.No.15 of 2020 on the file of the Mahila Court / Fast Track Court, Theni.

2. There is no representation on behalf of the petitioner. This Court heard the submissions of learned Additional Public Prosecutor appearing for the first respondent.



3. The crux of the allegation against the petitioner is that the petitioner has committed aggravated sexual assault on the victim girls, who were studying in Panchayat Union Middle School at Kamankallur, where the petitioner was working as Headmaster. The main ground raised in this petition for quashing of charge sheet is that the investigation was proceeded without any materials and a false case has been foisted against the petitioner.

4. The learned Additional Public Prosecutor appearing for the first respondent submitted that in this case trial has already been commenced and 23 witnesses have already been examined. It is relevant to note that the victim girl has already filed a petition before this Court in Crl.O.P.(MD)No.17888 of 2017 for speedy trial in Special S.C.No.15 of 2020 and this Court by order dated 10.12.2020, directed the trial Court to conduct the trial on day-to-day basis and dispose of the same within a period of six months from the date of receipt of a copy of that order.

5. Such view of the directions, the trial Court has sought extension of time for further period of four months. The letter addressed by the trial Court to this Court indicates that substantial number of witnesses have already been examined and summons were issued to L.W.23 to L.W.27.

6. Taking note of the fact that substantial witnesses have already been examined and summons were issued to L.W.23 to L.W.27, this Court is of the view that at this stage quashing the entire proceedings which relates to the serious offence is not maintainable.

7. Accordingly, this Criminal Original Petition is dismissed. Prosecuting agency shall produce the remaining witnesses on the date fixed by the trial Court without any further delay. The trial Court is directed to dispose of the case in Spl.S.C.No.15 of 2020 within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

VSM



To

1.The Judge,
Mahila Court / Fast Track Court, Theni

2.The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P. [MD] .No.11499 of 2020

28.04.2022

RK(16/05/2022) 3P 4C