



Crl.O.P.No.9565 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.9565 of 2023

and

Crl.M.P.Nos.6240 & 6241 of 2023

Dr.H.Majuba
W/o.Dr.N.Zakir Hussain

... Petitioner

-VS-

1.State represented by
The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai – 600 014.
Crime No.2 of 2022

2.Mumtaaj
W/o.Asheeram Ali

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to call for records and quash Spl.S.C.No.217 of 2022 on the file of Special Court for Exclusive Trial of POCSO Act Cases, Chennai.



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For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondents : Mr.A.Gopinath
Government Advocate [Crl.side] [R1]
No appearance [R2]

ORDER

This petition has been filed seeking to quash the proceedings in Spl.S.C.No.217 of 2022 on the file of Special Court for Exclusive Trial of POCSO Act Cases, Chennai.

2. It is brought to the notice of this Court that the petitioner has filed a discharge petition before the Court below and the same is posted for hearing on 19.07.2023.

3. In view of the above, it will be more appropriate for the petitioner to prosecute the discharge petition. Depending upon the result in the discharge petition, it is always left open to the petitioner to work out her remedy if the criminal prosecution continues against the petitioner. For the present, this Criminal Original Petition stands closed. It goes without saying that the petitioner can raise all the grounds before the Court below where the discharge petition has been filed. The



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presence of the petitioner before the Court below is dispensed with till the disposal of the discharge petition by the Court below. Consequently, connected miscellaneous petitions are closed.

07.07.2023

Issue order copy on 18.07.2023

Index: Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No

gm

To

- 1.The Special Court for the Exclusive Trial
of POCSO Act Cases, Chennai.
- 2.The Inspector of Police,
W-23, All Women Police Station,
Royapettah, Chennai – 600 014.
Crime No.2 of 2022
- 3.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH., J

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