



Crl.O.P.(MD)No.6102 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6102 of 2023

and

Crl.M.P(MD) No.5354 of 2023

Ramar

... Petitioner/Sole Accused

Vs.

1.The State, represented by
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
(Crime No.28 of 2022).

...1st Respondent/Complainant

2. XXXX

... 2nd Respondent/ Defacto
Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the case in Crime No.28 of 2022 dated 16.11.2022 on the file of All Women Police Station, Manamadurai, Sivagangai District and Quash the same.

For Petitioner : Mr.Indrachithu.T

For R1 : Mr.B.Nambiselvan
Additional Public Prosecutor



Crl.O.P.(MD)No.6102 of 2023

ORDER

WEB COPY This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the records pertaining to the case in Crime No.28 of 2022 dated 16.11.2022 on the file of All Women Police Station, Manamadurai, Sivagangai District and Quash the same.

2. The learned Additional Public Prosecutor would submit that the Final Report is also made ready on 14.12.2022 and is presented before the concerned trial Court on 03.01.2023.

3. Now the grievance of the petitioner is that DNA samples were taken, but so far the report has not been received. Without DNA report, above said Final Report is presented before the concerned trial Court.

4. Such a objection made by the learned counsel for the petitioner cannot be taken into account at this stage. DNA report can be received by the trial Court at any point of time during the trial. If the petitioner wants the copy of DNA report, he can file a proper application before the concerned trial Court and get the certified copy of the same.



Crl.O.P.(MD)No.6102 of 2023

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5. There shall be a direction to the Special Court for Exclusive Trial of Cases under POCSO Act, Sivagangai, to complete the process of trial within the time stipulated as per rules. If the petitioner is aggrieved over the contents of the above said Final Report, he can workout his remedy through appropriate proceedings.

6. With the above said direction and liberty, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

07.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Crl.O.P.(MD)No.6102 of 2023

G.ILANGO VAN,J.

Indu

To

- 1.The Special Court for Exclusive Trial of
Cases under POCSO Act, Sivagangai,
- 2.The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.6102 of 2023

Dated: 07.06.2023