



CrI.O.P.(MD)No.8408 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.8408 of 2023

and

CrI.M.P.(MD)No.7335 of 2023

Ashoke

... Petitioner

Vs.

The State rep. by

The Inspector of Police,

All Women Police Station,

Tirumangalam, Madurai District.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed by the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, in Cr.M.P.No.234 of 2023 in Spl.S.C.No.64 of 2019, dated 27.03.2023.

For Petitioner : Mr.V.Alageshkumar

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai, in Cr.M.P.No.234 of 2023 in Spl.S.C.No.64 of 2019, dated 27.03.2023.



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2. P.W.1 and P.W.3 were examined in chief and cross examined subsequently, But, later, the petition has been filed seeking recalling P.W.1 and P.W.3. Compromise has been reached between the parties, but, the above said point was not accepted by the Court on the ground that on the date of occurrence, the age of the victim was 15 plus. So, the question of compromise and question of love affair cannot be the matter for consideration.

3. Now, it has been stated that the victim was married to some other boy. Whatever may be simply because the matter has been compromised between the parties, on that ground, there is no question of recalling P.W.1 and P.W.3. The order passed by the trial Court cannot be interfered on any ground. Petitioner has to undergo the trial process and let the process be completed within a period of three months from the date of receipt of copy of this order.

4. With the above direction, this Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

12.06.2023

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

<https://www.mhc.tn.gov.in/judis>



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To

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



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G.ILANGO VAN, J.,

Ls

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