



Crl.O.P.(MD).No.20664 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20664 of 2023

and

Crl.M.P.(MD)Nos.16191 and 16912 of 2023

1.Abin Vijay

2.Vijayan

3.Sobana

... Petitioners

Vs.

1.State rep by

The Inspector of Police,
Kollencode Police Station,
Kanyakumari District,
(In Crime No.7/2017)

2.XXXXXXX

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to the impugned charge sheet in Spl.S.C.No.25 of 2017 on the file of the learned Fast Track Mahila Court, Nagercoil and to quash the same as illegal.

For Petitioner : Mr.S.Vikram

For R1 : Mr.M.Vaikkam Karunaniti
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed seeking to quash the impugned charge sheet in Spl.S.C.No.25 of 2017 on the file of the learned Fast Track Mahila Court, Nagercoil.

2.The petitioners are the accused Nos.1 to 3 in Crime No.7 of 2017, on the file of the first respondent police for the offences punishable under Sections 4 and 6 of the POCSO Act r/w 376 and 506(i) of IPC. After completing the trial process, final report has been filed and the same was taken cognizance by the learned Fast Track Mahila Court, Nagercoil in Spl.S.C.No.25 of 2017. This petition has been filed by the petitioners seeking to quash the above said proceedings on the ground that the above said penal provisions are not attracted against the petitioners.

3.The learned Government Advocate (Crl. Side) would submit that the trial process has been completed and the case has been posted for arguments.



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4.Since already trial process has commenced, there is no question of quashment and the petitioners have to face the trial process. This petition deserves to be dismissed.

5.Accordingly, this criminal original petition stands dismissed.
Consequently, connected miscellaneous petitions are closed.

23.11.2023

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

1. The Inspector of Police,
Kollencode Police Station,
Kanyakumari District,
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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