



Crl.O.P.No.8101 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 05.04.2024

Coram:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

Crl.O.P.No.8101 of 2024  
& Crl.M.P.No.5899 of 2024

1. K.Chandra.
2. Yuvaraj.
3. Raji.
4. Rani.
5. Selvam.
6. Periyasamy.
7. Prabu.
8. Kavitha

... Petitioners/Accused Nos 2 to 9.  
**/versus/**

1. State Rep. by.  
Inspector of Police,  
Ramanatham Police Station,  
Cuddalore.  
(Crime No.404 of 2022)

... 1<sup>st</sup> respondent

2. Chandra.

...2<sup>nd</sup> Respondent/defacto Complainant

**Prayer:** Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records in Spl.S.C.No.135 of 2023 pending trial on the file of the Learned Sessions Judge (FAC) Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.

For Petitioners : Mr.S.Nambirajan

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For R1

: Mr.K.M.D.Muhilan.

Government Advocate (Crl.Side)

### **ORDER**

This Criminal Original Petition is filed to quash the Spl.S.C.No.8101 of 2024, pending on the file of the Learned Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act.

2. The Learned Counsel for the petitioners state that the victim girl was married to the 3<sup>rd</sup> accused against her wish, while she was a child. Therefore, she was not happy to live with her and hence, took the help of the petitioners herein. However, they have been prosecuted for offences under Section 366 (A) of I.P.C, 5(l) & 6 of POCSO Act, 2012, 6 & 9 of Prohibition of Child Marriage Act, 2006 and 344 of I.P.C.

3. This Court finds that the argument and the grounds raised to quash the petition are all factual in nature and those things has to be decided only after examination of witnesses and completion of trial.



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4. With the above observation, this Criminal Original Petition is

disposed of with liberty to the petitioners herein to raise all the defence before the trial Court by adducing evidence or by examining the prosecution witnesses. Consequently, connected Miscellaneous Petition is closed.

05.04.2024

Index :Yes/No.

Internet :Yes/No.

Speaking Order/Non-Speaking Order  
bsm.

Copy to:-

1. The Sessions Judge (FAC), Special Court for Exclusive Trial of Cases, POCSO Act, Cuddalore.
2. The Inspector of Police, Ramanatham Police Station, Cuddalore.
3. The Public Prosecutor, High Court, Madras.



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**Dr.G.JAYACHANDRAN,J.**

bsm

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