



WEB COPY



Crl.O.P.No.10411 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2024

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.10411 of 2024

S.Charles Singh

.... Petitioner

Versus

1. The State Rep. by
The Inspector of Police,
All Women Police Station,
Perur, Coimbatore, Coimbatore.

2. R.Sathya

.... Respondents

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C. to withdraw the case proceedings in Spl.C.C.No.94 of 2020 on the file of the Special Court (POCSO Act), Coimbatore, Coimbatore District and transfer the same to the any other Court nearby Coimbatore District.

For Petitioner : Mr.C.R.Gokul Visvas

For Respondent : Mr.K.M.D.Muhilan
No.1 Government Advocate (Crl.Side)



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ORDER

The present petition is filed to transfer the trial of Spl.C.C.No.94 of 2020 on the file of the Special Court (POCSO Act), Coimbatore District to some other Court nearby Coimbatore District.

2. The prime reason for seeking transfer of the trial is suspecting the integrity of the Judicial Officer to record the statement of the victim, but, at the time of recording the evidence, the victim has attained majority. The learned counsel appearing for the petitioner pointing out the Court question which has no basis to put as a clarification, submitted that the Presiding Officer has unnecessarily put certain questions to the witnesses as Court questions repeatedly to annoy the accused as well as the witnesses.

3. This Court on perusing the copy of the deposition given by the victim finds that the certain Court questions put by the Presiding Officer do not really need for any clarification. Since some doubt has been created in the mind of the accused, in the interest of justice, the case has to be transferred to some other Court. Hence, this Criminal Original Petition is



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allowed and Spl.C.C.No.94 of 2020 on the file of the Special Court (POCSO Act), Coimbatore District shall be transferred to the file of the Special Court (POCSO Act), Tiruppur District. The Special Court (POCSO Act), Tiruppur District, shall continue the trial and complete the same within a period of four months from the date of receipt of the records.

12.06.2024

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To

1. The Special Court (POCSO Act), Coimbatore, Coimbatore District.
2. The Inspector of Police, All Women Police Station, Perur, Coimbatore, Coimbatore.
3. The Special Court (POCSO Act), Tiruppur District.
4. The Public Prosecutor, High Court of Madras.



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DR.G. JAYACHANDRAN, J.

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