



CrI.O.P.No.27337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.27337 of 2024

and

CrI.M.P.Nos.15122 and 15124 of 2024

R.Praveen Kumar

... Petitioner

Vs.

1. State Rep. by
The Inspector of Police
All Women Police Station
Pollachi, Coimbatore District
(Cr. No.08/22)

2. Saraswathi
The Rural Welfare Officer
Panchayath Union Office
Pollachi North, Pollachi

3. XXXX
W/o.XXXX

... Respondents



Cr.O.P.No.27337 of 2024

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C./528 of

WEB C B.N.S.S. to quash the Spl.S.C.No.123/2022 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act at Coimbatore District.

For Petitioner : Mr.C.D.Johnson

For 1st Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed by the petitioner/accused to quash the Spl.S.C.No.123/2022 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act at Coimbatore District.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police and also perused the materials available on record.

3. Since no adverse order is being passed, notice to the respondents 2 and 3 is dispensed with.

4. It is seen that based on the complaint given by the 2nd respondent who



Cr.O.P.No.27337 of 2024

is the Rural Welfare Officer, the 1st respondent has filed the FIR in Crime

No.08 of 2022 for the offences under Sections 366 of IPC and Sections 5(l), 5(j)(ii) and 6 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 and after completion of investigation, charge sheet has been filed and the same has been taken on file in Spl.S.C.No.120 of 2022 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore.

5. The petitioner has been charged for the offences under Sections 366 of IPC and Sections 5(l), 5(j)(ii) and 6 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006. At the time of commission of offence, the victim girl was aged 14 years.

6. Therefore, considering the grave nature of the offence and the age of the victim, this Court is not inclined to invoke Section 482 Cr.P.C./528 of B.N.S.S. to quash the case against the petitioner in Spl.S.C.No.123/2022.



Cr.O.P.No.27337 of 2024

7. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petitions are closed.

04.12.2024

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

ksa-2

To

1. The Inspector of Police
All Women Police Station
Pollachi, Coimbatore District

2. The Public Prosecutor
High Court of Madras



WEB COPY



CrI.O.P.No.27337 of 2024

P.VELMURUGAN. J.

Ksa-2

CrI.O.P.No.27337 of 2024

04.12.2024