



WEB COPY



Crl.RC.No.1002 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.RC.No.1002 of 2024
and
Crl.MP.Nos.8479 & 8480 of 2024

Durga Devi

...Petitioner

Vs.

State rep. by
Inspector of Police,
All Women Police Station,
Vedarnayam.
In Cr.No.07/2020

...Respondent

Criminal Revision case filed under Section 397 r/w 401 of Cr.P.C. to set aside the order dated 07.05.2024 in Crl.MP.No.1040 of 2022 in Spl.S.C.No.42 of 2021 on the file of the Court of Special Protection of Children from Sexual Harassment Act, Nagapattinam and discharge the petitioner from the offence under Sec. 17 and 18 of POCSO Act.

For Petitioner : Ms.R.T.Shyamala

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision Case has been filed seeking quashment of the order passed in Crl.MP.No.1040 of 2022 in Spl.S.C.No.42 of 2021 dated 07.05.2024 on the file of the Court of Special Protection of Children from Sexual Harassment Act, Nagapattinam.

2. The petitioner has filed a petition u/s 227 of Cr.P.C. seeking to discharge her from the charges under Sections 17 and 18 of POCSO Act in Spl.S.C.No.42 of 2021 before the Court of Special Protection of Children from Sexual Harassment Act, Nagapattinam, which was dismissed by the trial vide order, dated 07.05.2024. Challenging the same, the petitioner has filed the present revision.

3. Though very many grounds have been raised by the petitioner against the order impugned, however, when the matter is taken up for hearing today, the learned counsel for the petitioner submitted that the petitioner would contest the case and this Court, without going into the merits of the case may dispense with the appearance of the petitioner before the trial court.

4. Though such a prayer has been sought for, however, it is to be



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pointed out that the presence of the petitioner cannot be dispensed with in toto. In such view of the matter, this Court, without going into the merits of the case, directs that the appearance of the petitioner before the trial court is dispensed with except for her appearance for the purpose of receiving copies u/s.207 and questioning under Section 313 Cr.P.C. and on the day on which judgment is to be pronounced. However, if for any particular reason, the presence of the petitioner is necessary, the trial court, at its wisdom, shall direct her appearance on those days.

5. Accordingly, this Criminal Revision Case is dismissed. Consequently, the connected miscellaneous petitions are closed.

14.06.2024

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No

M.DHANDAPANI, J.



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skt

To

1. The Inspector of Police,
All Women Police Station,
Vedarnayam.
2. The Court of Special Protection of Children from
Sexual Harassment Act, Nagapattinam.
3. The Public Prosecutor, Madras High Court.

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and
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