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CrI.O.P.No.14381 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.14381 of 2024

Santhosh.

... Petitioner/Accused

/versus/

1.State Rep. by,

The Inspector of Police,

W-7, All Women Police Station, Anna Nagar,

Chennai.

... Respondent/Complainant

2. Meenakshi.

...Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the impugned charge sheet in Spl.S.C.No.02/2023 on the file of the Special Court for exclusive trial of cases under POCSO Act, City Civil Court, Chennai and quash the same.

For Petitioner : Mr.M.Udayakumar

For R1 : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)



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ORDER

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The petitioner herein is an accused in an offence under Section POCSO Act is before this Court to quash the final report in Spl.S.C.No.02/2023.

2. The case of the prosecution indicates that the petitioner had impregnated a minor child aged about 15 years and she had given birth to a female child on 18.10.2022. The mother of the victim child is the complainant. On completion of investigation, the police has filed final report against this petitioner for offence under Section 5(j)(ii) r/w 6 of POCSO Act and subsequently altered to Section 366 of I.P.C and 6 of POCSO Act 2012. At this juncture, charges were framed and the case is posted for further proceedings. The present petition is filed stating that the petitioner and the victim child were in love. Since the victim child was minor at that point of time, the police has registered a case and he is prosecuted. Stating that he want to marry the victim child, therefore, pray the case has to be quashed.



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3. This Court finds no merit to entertain this petition on the assurance that the perpetrator of crime is going to marry the victim girl in future. Hence, this Criminal Original Petition is dismissed.

20.06.2024

Index : Yes/No.
Neutral Citation : Yes/No.
bsm

Copy to:-

1. The Special Court for exclusive trial of cases under POCSO Act, City Civil Court, Chennai.
2. The Inspector of Police, W-7, All Women Police Station, Anna Nagar, Chennai.
3. The Public Prosecutor, High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN, J.

bsm

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