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Crl.O.P.No.5170 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.07.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.5170 of 2025

C.Kuppusamy, S/o Chinnamani

.. Petitioner

Vs.

State rep. by
Inspector of Police,
All Women Police Station,
Neyveli, Cuddalore District,
Crime No.07/2014

.. Respondent

Criminal Original Petition filed under Section 407 Cr.P.C. and Section 447 of the BNSS to withdraw the case in Spl.S.C.No.115 of 2022 pending trial from the file of the Special Court for Exclusive trial of cases under the POCSO Act at Cuddalore and transfer the same to any other District Court, more particularly, the Mahila Court Judge at any other District.

For petitioner : M/s.C.D.Johnson

For respondents : Mr.S.Vinoth Kumar, Govt. Advocate (Criminal Side)

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ORDER

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This petition is filed to to withdraw the case in Spl.S.C.No.115 of 2022 pending trial from the file of the Special Court for Exclusive trial of cases under the POCSO Act at Cuddalore and transfer the same to any other District Court, more particularly, the Mahila Court Judge at any other District.

2. This Court, by order dated 25.02.2025 passed in this Crl.O.P., had directed the trial Court to complete the trial within a period of eight weeks from the date of receipt of a copy of the order.

3. Subsequently, the matter having been listed in the caption "for being mentioned" at the instance of the learned counsel for the petitioner, this Court, by order dated 27.02.2025, directed the Registry of this Court to call for the records from the Special Court for Exclusive Trial of cases under the POCSO Act at Cuddalore in Spl.S.C.No.115 of 2022 on or before 13.03.2025 and till then, the trial Court is directed not to comply with the order of this Court, dated 25.02.2025 and this Court directed the Registry to list this case on 13.03.2025. Subsequently, on 17.03.2025, this

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Court directed the Registry to list the matter before the Court on 24.03.2025.

4. Thereafter, by order dated 24.03.2025, this Court clarified that paragraph Nos.2 and 3 of this Court's earlier order dated 25.02.2025 in this petition, shall be modified as follows:

"2. The learned Government Advocate (Crl. Side) submitted that the prosecution witnesses have not been closed so far, and it is posted for the evidence of the Investigation Officer.

3. It is seen that, since the matter is pending for evidence of the Investigating Officer, at this stage, the transfer of trial would not serve any purpose. Further, the petitioner has also not made out a case in Spl.S.C.No.115 of 2022."

This Court, by the said order dated 24.03.2025, directed the Registry of this Court to issue a fresh order copy in Crl.O.P.No.5170 of 2025, dated 25.05.2025, after making necessary corrections.

5. Now, by letter dated 04.06.2025 in Letter in D.No.1407/2025, the



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Sessions Judge, Special Court for Exclusive Trial of cases under the
POCSO Act, Cuddalore, sought for extension of time to dispose of the said
Spl.S.C.No.115 of 2022

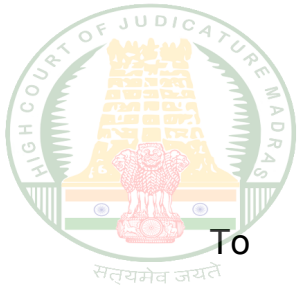
6. Heard both sides and perused the materials available on record.

7. Accordingly, the time for disposing of Spl.S.C.No.115 of 2022, is
hereby extended by three months from the date of receipt of a copy of this
order and the trial Court is directed to dispose of the said case on merits
and in accordance with law, and file the report before this Court in respect
of the same.

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To

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1. The Sessions Judge, Special Court for Exclusive Trial of Cases under the POCSO Act, Cuddalore.
2. The Inspector of Police,
All Women Police Station, Neyveli, Cuddalore District (Cr.No.7 of 2014)
3. The Public Prosecutor (Pondicherry), High Court, Madras.



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P.VELMURUGAN, J

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