



WEB COPY



Crl.O.P.No.3663 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3663 of 2025

Jeevanandham (Male/ 29 years),
S/o Ravi Residing at No. 44,
Poongavanthamman KoiL street,
Vasanthapuram,
Vellore – 6320 001.

... Petitioner

Vs.

The State,
The Inspector of Police,
Vellore South, Vellore.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 pleaded to issue appropriate direction to withdraw and transfer the pending Spl.SC.No.28/2024 on the file of the Special Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Vellore to any other Hon'ble District Court and to pass such further or other order.

For Petitioner : Mr.C.Gunasekaran

For Respondent : Mr.K.M.D.Muhilan,
Government Advocate (Crl. Side)



Crl.O.P.No.3663 of 2025

WEB COPY

ORDER

This petition has been filed seeking direction to issue appropriate direction to withdraw and transfer the pending Spl.SC.No.28/2024 on the file of the Special Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Vellore to any other Hon'ble District Court.

2. The petitioner is an accused in Crime No.422 of 2023, registered for the offences under Sections 294(b), 341, 354, 506(2) of the IPC, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002. After completion of the investigation, the respondent filed a final report for the offences punishable under Sections 294(b), 341, 354, 506(2) of I.P.C, Section 8 r/w 7, 12 r/w 11(a)(i) of the POCSO Act, 2012, and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. The same has been taken cognizance of in Spl.S.C.No.28 of 2024, and it is pending trial on the file of the Special Court for the exclusive trial of POCSO Act cases, Vellore.

3. Now, the petitioner has made an allegation against the Presiding Officer, claiming that the Presiding Officer threatened the petitioner by stating



Crl.O.P.No.3663 of 2025

that he was about to pass an order of conviction. These allegations are made against all Judicial Officers stereotypically and appear to be an attempt by the accused persons to escape from the clutches of the law. Furthermore, the accused cannot have any say to fix the trial Court or making such a false allegation. Now, the prosecution has completed their evidence and the case is posted for questioning the petitioner under Section 313 of Cr.P.C. At this stage, the transfer of the trial would affect the entire proceedings already conducted by the trial court.

4. In view of the above, this Court is not inclined to transfer the case. Accordingly, this Criminal Original Petition is dismissed. The trial court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order.

12.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

To,

1. The Special Judge, Special Court, (POCSO Act Cases), Vellore.
2. The Inspector of Police, Vellore South, Vellore.
3. The Public Prosecutor, High Court, Madras.



WEB COPY



Crl.O.P.No.3663 of 2025

G.K.ILANTHIRAIYAN, J.

bsm

Crl.O.P.No.3663 of 2025

12.02.2025