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Crl.R.C No.482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.08.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C No.482 of 2024

and

Crl.M.P No.4586 of 2024

C.Samiyappan

... Petitioner

..Vs.

State Rep.by
The Inspector of Police,
Sivagiri Police Station
Erode District
Crime No.47 of 2022.

... Respondent

Prayer: This Criminal Revision Petition is filed under Section 397 & 401 of Criminal Procedure Code, to call for the records and set aside the order dated 31.01.2024 passed in Crl.M.P No.1270 of 2023 in Spl. S.C No.95 of 2022 by the learned Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode and split up the case and direct the separate trial for the petitioner.

For Petitioner : Mr.K.Sasindran

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

ORDER



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This criminal revision has been filed as against the order dated 31.01.2024 passed in in Crl.M.P No.1270 of 2023 in Spl. S.C No.95 of 2022 by the learned Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode, thereby dismissed the petition filed under Sections 216, 218 and 223 of Cr.P.C to alter or modify the charges and tried this petitioner separately.

2. The petitioner is facing charges for the offences punishable under Sections 9(m) and 10 of POCSO Act, 2012. The victim child was aged about 12 years at the time of the occurrence. The first occurrence was taken place on 06.05.2022, at about 1.30 p.m by one accused. On the same day, at about 4.30 p.m, another accused committed the same offence. Though there is no nexus between the two accused, the victim child is one and the same. Therefore, instead of calling the victim twice for the evidence and for the proceedings, both the accused were charged in the single charge sheet and subjected for trial. Hence, the trial Court had rightly dismissed the petition seeking for separate trial.

3. Accordingly, this Criminal Revision Case is dismissed. Consequently, connected miscellaneous petition is closed.



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Index: Yes/No
Internet: Yes/No
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To

1. The Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court) Erode.
2. The Inspector of Police,
Sivagiri Police Station
Erode District
3. The Public Prosecutor
High Court of Madras.



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G.K.ILANTHIRAIYAN,J

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