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Crl.O.P.No.7119 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 7119 of 2023

Charles @ Charles Rajadurai

... Petitioner

Vs.

State by
The Inspector of Police,
W-17, All Women Police Station,
Peravallur, Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent-Police not to compel the petitioner to submit his control voice as per the communication sent by the respondent Police through whatsapp message to the petitioner on 09.03.2023 vide Dis.No.201/2023 dated 09.03.2023 in Spl.S.C.No.6 of 2022 on the file of the Special Judge under POSCO Act Court, Chennai.

For Petitioner : Mr.V.Balu

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The matter is listed in the cause list caption "For Extension of Time – Lower Court".

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. This Court, *vide* order dated 05.02.2025 in Crl.O.P.No.7119 of 2023 directed the learned Special Judge, Special Court under POCSO Act, Chennai, to complete the proceedings in Spl.S.C.No.6 of 2022 within a period of three months from the date of receipt of a copy of the order.

4. However, the learned Sessions Judge, Special Court for the exclusive trial of cases under POCSO Act, Chennai, *vide* letter dated 26.06.2025 requested further time to comply with the order of this Court dated 05.02.2025.



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5. The scope and object of the Protection of Children from Sexual

Offences Act, 2012 [hereafter referred to as 'POCSO Act'] is very clear that, as per Section 35 (2) of the POCSO Act, POCSO cases should be disposed of within a period of one year after the offences are taken cognizance of by the Court, which includes the investigation and also trial process. Despite the same, the trial Courts are not following the procedures for one reason or another and they are not duly complying with the statutory provisions of Section 35 of the POCSO Act.

6. Taking into consideration the request made by the learned Sessions Judge, three months' time is extended to comply with the order of this Court dated 05.02.2025. The learned Sessions Judge, Special Court for the Exclusive Trial of Cases Under the POCSO Act, Chennai, is hereby directed to complete the proceedings in Spl.S.C.No.6 of 2022 and dispose of the case within a period of three months from the date of receipt of a copy of this order.

7. If the learned Sessions Judge, Special Court for the Exclusive Trial of Cases Under the POCSO Act, Chennai, fails to dispose of the



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case within the time stipulated by this Court, the Registrar General,

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High Court, Madras, is directed to call for an explanation and take necessary action against the Presiding Officer, who presides over the proceedings in Spl.S.C.No.6 of 2022.

10.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Sessions Judge,
Special Court for the exclusive trial of cases
under POCSO Act, Chennai.
2. The Inspector of Police,
W-17, All Women Police Station,
Peravallur, Chennai.
3. The Public Prosecutor,
High Court, Madras.
4. The Registrar General,
High Court, Madras.



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P.VELMURUGAN, J

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