



Crl.O.P.No.9418 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9418 of 2025 and
C.M.P.No.6242 and 6244 of 2025

K.Vignesh

...Petitioner

-Vs-

1. The State represented by
The Inspector of Police
Kadathur Police Station
Kadathur, Dharmapuri District

2 .Hari ... Respondents

Prayer: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the
Spl.SC.No. 158/2024 pending on the file of Learned Sessions Judge,
Special Court for the Exclusive Trial of POCSO Act Case, Dharmapuri
and quash the same.

For Petitioner(s): Mr.B.Sundarapandiyan

For Respondent(s): A.Gopinath for R1
Government Advocate(Crl. Side)



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ORDER

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This Criminal Original petition has been filed to quash the proceedings in Spl.SC.No.158/2024 pending on the file of learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Case, Dharmapuri, as against the petitioner, thereby taken cognizance for the offences under Sections 363, 366, 366(A) of IPC, 7, 8, 16, 17 of Protection of Child from Sexual Offences Act, 2012 and 10 of Prohibition of Child Marriage Act, 2006.

2. The 2nd respondent/defacto complainant and the victim girl were also present before this Court at the time of hearing. They deposed that the petitioner herein had married the victim girl and they are now living together happily.

3. At this juncture, the learned counsel for the petitioner seeks permission of this Court to withdraw the Criminal Original Petition with liberty to file a fresh petition. He also made an endorsement to that effect in the court bundle.

4. In view of the above, the Criminal Original Petition is dismissed



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as withdrawn with liberty to file a fresh petition. Consequently, the connected miscellaneous petitions are closed.

5. Considering the age of the petitioner, the personal appearance of the petitioner is dispensed with and he shall be represented by a counsel after filing appropriate application. The petitioner shall be present before the Court below at the time of furnishing of copies, framing charges, questioning under Section 313 Cr.P.C., and at the time of passing judgment.

17.04.2025

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
nr

To

1. The learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Case, Dharmapuri

2. The Inspector of Police
Kadathur Police Station, Kadathur, Dharmapuri

3. The Public Prosecutor
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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