



Crl.O.P.No.9412 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.03.2025**

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9412 of 2025

and

Crl.M.P.No.6235 of 2025

Selvam @ Selvakumar

... Petitioner

Versus

State Rep. by
The Inspector of Police,
Katpadi Police Station,
(Crime No.312 of 2017)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the entire records in pursuant to the order passed in Crl.M.P.No.1076 of 2024 in Spl.S.C.No.64 of 2018 on the file of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore District, and set aside the same.

For Petitioner : Mr. M. Sathish Kumar

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



CrI.O.P.No.9412 of 2025

ORDER

WEB COPY

This Criminal Original Petition has been filed challenging the order dated 03.12.2024 passed in CrI.M.P.No.1076 of 2024 in Spl.S.C.No.64 of 2018 by the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore District, thereby dismissing the petition filed under Section 91 of Criminal Procedure Code, 1973, by the petitioner.

2. Based on the complaint lodged by one Loganathan, the respondent police registered a case in Crime No.312 of 2017 for the alleged offences under Sections 363 and 366 of the Indian Penal Code, (IPC), 1860 r/w Section 9 of Prohibition of Child Marriage Act, 2006 and Section 6 r/w Section 5(1) of Protection of Child from Sexual Offences (POCSO), Act, 2012. The same was taken on file in Spl.S.C.No.64 of 2018 before the Special Court for Exclusive Trial of Cases under POCSO Act, Vellore District, and the trial is pending. At that stage, the petitioner filed a petition in CrI.M.P.No.1076 of 2024 under Section 91 of Cr.P.C., seeking a direction to produce General Diary of Katpadi Police Station for the following dates 26.06.2017, 27.06.2017 and 28.06.2017, which was dismissed. Against which, the petitioner has filed the present petition.



Crl.O.P.No.9412 of 2025

WEB COPY

3. Heard the learned counsel appearing on either side and perused the materials placed on record.

4. After hearing both sides, it is clear that the petitioner filed a petition under Section 91 of Cr.P.C., seeking a direction to produce the General Diary maintained on the file of the respondent Police. This Court is of the view that the document which is sought for by the petitioner is not a public document and as such, the petitioner is not entitled to obtain the copy of the said document. In view of the above, the Trial Court has rightly rejected the petition filed by the petitioner.

5. Therefore, this Court does not find any infirmity or illegality on the order dated 03.12.2024 passed by the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore District, and the same is hereby confirmed.



Crl.O.P.No.9412 of 2025

WEB COPY

6. With the above observations, the Criminal Original Petition stands dismissed.

28.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/Non-Speaking Order

klr



Crl.O.P.No.9412 of 2025

WEB COPY

To

- 1.The Inspector of Police,
Katpadi Police Station,
2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.9412 of 2025

G.K.ILANTHIRAIYAN, J.

klt

Crl.O.P.No.9412 of 2025

28.03.2025