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Crl.O.P.No.17232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.17232 of 2025

Manjula

...Petitioner

Vs.

1. State represented by
The Inspector of Police
All Women Police Station,
Vriddachalam, Cuddalore District.

2. Arunkumar

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Sessions Judge, Special Court for exclusive trial of Cases under POCSO Act, Cuddalore District, to dispose of the case in Spl.S.C.No.96 of 2023 as expeditiously as possible within the time to be stipulated by this Court.

For Petitioner : Mr.T.Meganathan

For Respondents : Dr.C.E.Pratap
Govt. Advocate (Crl.Side) for R1



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ORDER

This petition has been filed seeking directions to the Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore District, for speedy disposal of the case in Spl.S.C.No.96 of 2023.

2 According to learned counsel appearing for the petitioner, the second respondent is father of the victim child and he committed the offence under Sections 294(b), 354A, 506(II) of IPC and Section 9(m), 9(n), 9(1) and 10 of POCSO Act r/w Section 4 of Tamilnadu Prohibition of Harassment of Woman Act, 2002. Till date notice was not served on the accused and NBW was issued, which is also pending. Now the second respondent/accused has threatened the petitioner/defacto complainant and the victim child to withdraw the case. Therefore it is necessary to issue directions to the trial Court to conclude trial and dispose of the case in Spl.S.C.No.96 of 2023.



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3 Learned Government Advocate (Crl.Side) for the first respondent police would submit that in this case totally 20 witnesses and none of them were examined and the case was listed on 11.07.2025. Further NBW issued against the second respondent/accused has been recalled and he appeared before the trial Court.

4 Heard the learned counsel on either side and perused the materials available on record.

5 The Hon'ble Supreme Court vide its order dated 25.11.2024 in Criminal Appeal No.4758 of 2024 has given directions that the Constitutional Courts shall issue directions for the time-bout disposal of cases only in an exceptional circumstances. However, the present case is under the POCSO Act.



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6 Section 35 of the POCSO Act says that the Special Court shall complete the trial as far as possible, within a period of one year from the date of taking cognizance of the offence. The present case is of the year 2023. Therefore it is a fit case to issue directions to the Court below for speedy disposal.

7 Accordingly the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, is directed to dispose of the case in Spl.S.C.No.96 of 2023 as early as possible, preferably within a period of three months from the date of receipt of a copy of this orders.

8 With the above directions, this Criminal Original Petition stands disposed of.

16.06.2025

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Speaking /Non-speaking order

To

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1. The Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore District.
2. The Inspector of Police, All Women Police Station, Vriddachalam, Cuddalore District.
3. The Public Prosecutor, Madras High Court.



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P.VELMURUGAN, J.

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