



Crl.O.P.No.18774 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.18774 of 2025 and

Crl.M.P.No.12571 of 2025

Loganathan

... Petitioner

Vs.

1. The Inspector of Police
All Women Police Station
Redhills

2. Sivaprekash

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records relating to the First Information Report in Crime No.2 of 2025 dated 04.03.2025 on the file of the first respondent, quash the same.

For Petitioner : Mr.P.Suresh

For First Respondent : Dr.C.E.Pratap

Government Advocate (Crl. Side)



Crl.O.P.No.18774 of 2025

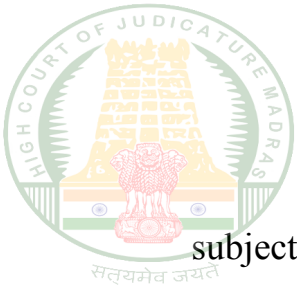
ORDER

WEB COPY

This Criminal Original Petition has been filed by the petitioner/accused to quash the F.I.R. in Crime No.2 of 2025 dated 04.03.2025 on the file of the first respondent.

2. The case of the petitioner is that based on the complaint given by the second respondent alleging that the petitioner under the guise of giving lift to the defacto complainant's son who is studying 10 std., sexually harassed him, the first respondent police has registered a case against the petitioner in Crime No.2 of 2025 on 04.03.2025 for the offences under Section 87 BNS and Section 8 of POCSO Act 2012. Hence, the present petition is filed to quash the F.I.R.

3. The contention of the petitioner is that no such incident had happened. In order to help the victim boy, the petitioner gave lift to him, whereas the victim's relatives, unauthorizedly detained the petitioner and harassed him. Further, there is no material to show that the victim is a child and he was



CrI.O.P.No.18774 of 2025

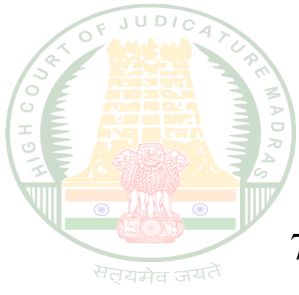
subjected to sexual harassment which attracts the offence under the POCSO

WEB COPY
Act.

4. The learned Government Advocate (Crl. Side) appearing for the first respondent police submitted that the birth certificate of the victim was collected and after investigation, they have laid the charge sheet before the Special Court through e-filing and the same has not been taken on file.s

5. It is seen that during investigation, the birth certificate of the victim has been collected and as per which, the victim is a child under the definition of POCSO Act. Further, the investigation already over and the charge sheet has also been filed. The grounds taken by the petitioner are nothing but defence which can be agitated only during trial before the trial Court.

6. Therefore, this Criminal Original Petition is dismissed at the admission stage itself. Consequently, the connected Miscellaneous Petition is closed.



CrI.O.P.No.18774 of 2025

7. However, the petitioner is at liberty to take all his defence before the

WEB COPY

trial Court during trial.

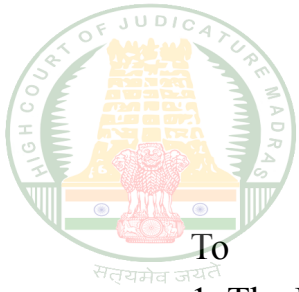
08.07.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

ksa-2



CrI.O.P.No.18774 of 2025

To

1. The Inspector of Police
All Women Police Station
Redhills

2. The Public Prosecutor
High Court of Madras, Chennai.



WEB COPY



CrI.O.P.No.18774 of 2025

P.VELMURUGAN,J.

Ksa-2

CrI.O.P.No.18774 of 2025

08.07.2025