



Crl.RC.No.1339 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **08.08.2025**

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. R.C.No.1339 of 2025
and
Crl.M.P.No.15182 of 2025

C.Gopu

... Petitioner

Versus

The State Represented by
The Inspector of Police
All Women Police Station, Bargur
Krishnagiri District
(Crime No.14 of 2024)

... Respondent

PRAYER: Criminal Revision filed under Section 438 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS), 2023, to call for the records culminating in Crl.M.P.No.4 of 2025 in Spl.SC.No.75 of 2025 on the file of learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, order dated 03.07.2025, and allow the same.

For Petitioner : Mr. S. Bharanidharan

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



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ORDER

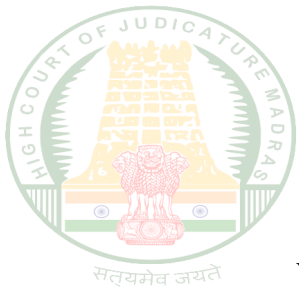
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This revision has been filed against the order dated 03.07.2025 passed in Crl.M.P.No.4 of 2025 in Spl.SC.No.75 of 2025 on the file of learned Sessions Judge, Fast Track Mahila Court, Krishnagiri, whereby the discharge petition filed by the petitioner to discharge him from the charges was dismissed.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent and also perused the materials available on record.

3. The petitioner is arrayed as accused/A4 in Crime No.14 of 2014, and is stated to have committed the following offences :

- i) Sections 506(i), 366, 342, 417, 419, 420, 465, 468, 294(b), 341, 408, 471 r/w Section 120(B) of the Indian Penal Code, (IPC), 1860;
- ii) Section 66 D of the Information Technology Act, 2000;
- iii) Section 6(1) r/w Section 17 of the POCSO Act;
- iv) Section 11(1), 11(2), 11(3), 11(4) r/w Section 12 of the POCSO Act, 2012, and Amendment Act, 2019;
- v) Section 5(l), 5(j)(ii) r/w Section 6 of the POCSO Act;



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vi) Section 7 r/w 8 of the POCSO Act;

vii) Section 9(1) r/w Section 10 of the POCSO Act; and

viii) Section 9(m) r/w Sections 10 and 17 of the POCSO Act.

Based on the complaint lodged by the victim girl that the first accused had committed aggravated penetrative sexual assault and non-penetrative sexual assault as against the vulnerable victims aged below 16 years and these offences committed were in the name of a fake NCC camp conducted at private schools, with the assistance of the petitioner and the co-accused.

4. The case of the prosecution is that the petitioner/accused/A4, is an English teacher and an approved responsible NCC Officer at Government Higher Secondary School. He is alleged to have abetted, conspired, plotted, and actively facilitated and aided the commission of criminal offences. The petitioner/A4, had not only permitted and helped the first accused/A1 to conduct a fake illegal NCC camp at various private schools for monetary gain, but had also engaged with him. The sexual assaults on the victim girls were committed by the first accused and then it was concealed by the petitioner. One of the victims, studying 9th STD at a private school in Krishnagiri, lodged a complaint on 21.08.2024. She alleged that on 01.01.2024, as instructed by the accused/A1, the de-facto



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had complainant was sent the victim girl to the office of the accused/A1, claiming that her daughter should undergo a medical examination for attending an NCC camp for the Republic Day celebration in Delhi. Unaware of the ill-intention of the first accused, the de-facto complainant/the mother of the victim girl told her daughter to go to the accused/A1's office. At that time, the first accused allegedly dragged the victim girl by holding her hands, dashed her head against a wall, removed her dress, and committed aggravated penetrative sexual assault on her. Therefore, she sustained injury on her genital area and also got bleeding injuries. The petitioner being an English teacher in a Government Higher Secondary School brought the children to the first accused's camp to conduct a fake NCC camp without obtaining prior permission from Headquarters or any other authority. Thus, the petitioner is arrayed as an accused in this case. Therefore, the petitioner filed a petition under Section 227 of Cr.P.C., (250 of BNSS), to be discharged from the case, and the same was dismissed by the Trial Court. Aggrieved by the same, the petitioner has filed the revision before this Court.

5. Perusal of the records also reveals that on 04.02.2024, the first



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accused, and the petitioner/A4 had taken 15 private school students of Krishnagiri (Non Cadets) to an unauthorized camp arranged for Government Schools NCC students by impersonating them as Government School NCC Students (Cadets) and subsequently made those private school students to write the 'A' Certificate examination in the place of authorized Government School NCC students. The first accused had indulged in penetrative sexual assault on the minor victim girls and also sexually harassed two minor victim boys. During the official NCC camps, conducted at Sakthikailsh Arts and Science College, Salem, the petitioner made participation of non-NCC students of SVC Matriculation School in the pseudo names of NCC Cadets of K. Kaveripattinam Government Boys Higher Secondary School. The students of SVC School received certificates and medals which were collected by the petitioner/accused.

6. Further, on perusal of the statements of the witnesses, it is revealed that the first accused was neither a qualified NCC Training Officer nor a person appointed by the National Cadet Corps at any Educational Institutions. The petitioner, being a responsible Associate NCC Officer (ANO), was brought in for assistance with labour work and



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was shared the income fetched from the camp. He become very close with A1, and other accused, shared their thoughts, and conspired with them to organize a fake NCC camp. Therefore, the specific averments against the petitioner to draw on the witnesses Nos.146, 147, 148, 149, 154, 156, and 252 for the charges under Sections 506(i), 366, 342, 417, 419, 420, 465, 468, 294(b), 341, 408, 471 r/w Section 120(B) of the Indian Penal Code, (IPC), 1860 ; Section 66 D of the Information Technology Act, 2000 ; Section 6(1) r/w Section 17 of the POCSO Act; Section 11(1), 11(2), 11(3), 11(4) r/w Section 12 of the POCSO Act, 2012, and Amendment Act, 2019; Section 5(l), 5(j)(ii) r/w Section 6 of the POCSO Act; Section 7 r/w 8, Section 9(1) r/w Section 10 ; and Section 9(m) r/w Sections 10 and 17 of the POCSO Act, thereby, the petitioner committed very serious and heinous offences against the minor victim girl, who is aged below 16 years. Therefore, the Trial Court has rightly dismissed the discharge petition filed by the petitioner. Thus, this Court is not inclined to allow the revision and is liable to be dismissed.

7. In view of the above, this Court finds no infirmity or illegality on the order dated 03.07.2025 in Crl.M.P.No.4 of 2025 in Spl.SC.No.75 of 2025 on the file of learned Sessions Judge, Fast Track Mahila Court,

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Krishnagiri. Accordingly, this Criminal Revision Case stands dismissed.

Consequently, the connected miscellaneous petition is also closed.

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Index: Yes/No

Speaking /Non-Speaking Order

Neutral Case Citation : Yes/No

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To

1. The Sessions Judge,
Fast Track Mahila Court, Krishnagiri.
2. The Inspector of Police,
All Women Police Station, Bargur,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

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