



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

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THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24259 of 2025

1. Agilandeswari
W/o. Susikannan, No.23, Srimangadu
Nagar, Nadal Pathai Street, Kunrathur,
Chennai - 600069.

Petitioner(s)

Vs

1. The State Represented by, The
Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Thiruvallur District.
Crime No. 15 of 2017.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to issue appropriate directions under section 528 of the BNSS Act to expedite the trial and disposal of Spl.SC.No.167/2019 pending before the Sessions Judge, (POCSO Court), Chengalpattu, Preferably within a period of three months, in the interest of justice.

For Petitioner(s): M/s.P.M.Basil



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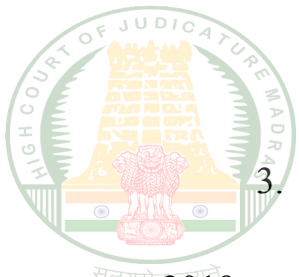


For Respondent(s): Mr.R.Vinodhraja,
Government Advocate [Crl.Side]

ORDER

This Criminal Original Petition has been filed to direct the Sessions Judge, (POCSO Court), Chengalpattu to expedite the trial in Spl.SC.No.167/2019 and dispose the case preferably within a period of three months.

2. The case of the petitioner is that her daughter, who was studying V Standard, was sexually assaulted by the accused persons and in this regard, a case in Spl.S.C.No.25 of 2019 is pending before the Sessions Judge, POCSO Court, Chengalpet. Since one of the accused was a juvenile, this Court in Crl.O.P.No.23657 of 2019 by an Order dated 08.04.2022 directed the Juvenile Justice Board, Chengalpet to transfer the case in C.C.No.14 of 2018 for trying the same along with the case in Spl.S.C.No.25 of 2019. Despite the Order of this Court, the above cases were not clubbed together and there is no progress in the above cases. Now her daughter is studying first year in college. Hence, the present petition has been filed seeking aforesaid direction.



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3. Now it appears that after passing of the Order in Crl.O.P.No.23657 of 2019, a Special Court for trying offences under the POCSO Act has been constituted in Chengalpet and the case is now pending on the file of the Sessions Judge, POCSO Court, Chengalpet.

4. This Court in Crl.O.P.No.23657 of 2019, on 08.04.2022 had passed the following Order :

“15. The submission of the learned Government Advocate [Crl. Side] is found to be acceptable. Due to the stay granted by this Court, the trial Court could not proceed with the examination of the witnesses. Hence, the stay granted by this Court is hereby vacated.

16. In view of the above, this Petition is allowed with a direction to the Juvenile Justice Board, Chengalpet to transfer the case to the file of the learned Sessions Judge, Fast Track, Mahila Court, Chengalpet. Further the learned Sessions Judge, Fast Track Mahila Court, Chengalpet is directed to club the case



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with the Sessions case and conduct trial and dispose of the case within a reasonable period of three months from the date of receipt of a copy of this Order by the learned Sessions Judge, Fast Track Mahila Court, Chengalpet.”

However, the Juvenile Justice Board, Kancheepuram, where the case in C.C.No.14 of 2018 is now pending, has not transferred the case to the Sessions Judge, POCSO Court, Chengalpet.

5. In such view of the matter, the Juvenile Justice Board, Kancheepuram is directed to transfer the case in C.C.No.14 of 2018 forthwith to the POCSO Court, Chengalpet and the Sessions Judge shall club both the cases and expedite trial as per the direction of this Court and dispose the case expeditiously.

6. With the above directions, this Criminal Original Petition is disposed of.

04-09-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Thiruvallur District.
Crime No. 15 of 2017.

2. The Juvenile Justice Board,
Kancheepuram.

3. The Public Prosecutor,
High Court, Madras.



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N.SATHISH KUMAR J.

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