



Crl.O.P.(MD)No.870 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.870 of 2025

R.Santhosh Kumar

.. Petitioner

Vs.

The Inspector of Police
Singampunari Police Station
Sivagangai District

.. Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to expedite the trial in Spl.S.C.No.32 of 2024 on the file of the Special Court for Exclusive trial of cases under POCSO Act, Sivagangai, Sivagangai District on day to day basis and dispose the same on merits within the stipulated time limit.

For Petitioner : Mr.S.Arockiasamy
For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to expedite the trial in Spl.S.C.No.32 of 2024 on the file of the Special Court for Exclusive trial of cases under POCSO Act, Sivagangai, Sivagangai District on day to day basis and dispose the same on merits within the stipulated time limit.



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2. The learned counsel appearing for the petitioner submitted that the petitioner is arrayed as A5 in Crime No.19 of 2022 for the offences under Sections 147,148,448,427,294(b),323,354, 506(2) o f IPC r/w.Section 4 of TNPHW Act and Sections 4,7,8,11(1) and 12 of POCSO Act. The case was taken on file in Spl.S.C.No.32 of 2024 on the file of the Special Court for Exclusive trial of cases under POCSO Act, Sivagangai, Sivagangai District. The only grievance of the petitioner is that the civil suit is given a criminal colour. The defacto complainant is none other than the brother of the victim. For property dispute the minor girl has been used and it was projected as though the victim was sexually harassed. He further submitted that in this case the alleged occurrence took place on 11.02.2022 and the charge sheet made ready on 10.07.2022 and the same was filed before the concerned Court on 03.08.2024 and hence there was a considerable delay. He further submitted that there are totally 30 witnesses in this case and he seeks a direction from tis Court to complete the trial.

3. The learned Additional Public Prosecutor submitted that in this case on the complaint of the defacto complainant a case has been registered on 11.02.2022 and within five months investigation has been



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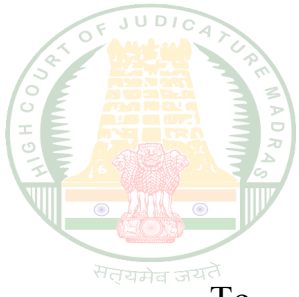
completed and charge sheet has been made ready on 10.07.2022 and final report has been filed on 30.08.2024. He further submitted that some of the co-accused have filed a petition for quashing the charge sheet and for one reason for another the trial is getting delayed. He further submitted that in this case the prosecution is ready to produce the witnesses then and there without any delay.

4. In view of the same, there shall be a direction to the Special Court for Exclusive trial of cases under POCSO Act, Sivagangai, Sivagangai District to complete the trial in Spl.S.C.No.32 of 2024 preferably within a period of four months from the date of receipt of a copy of this order.

5. With the above direction this Criminal Original Petition stands disposed of.

21.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
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1. The Special Court for Exclusive trial of cases
under POCSO Act, Sivagangai
2. The Inspector of Police
Singampunari Police Station
Sivagangai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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