



Crl.O.P.(MD)No.11007 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.11007 of 2025

Esakkidurai

... Petitioner

Vs.

1.The Inspector of Police,
Sankarankovil AWPS,
Tenkasi District.
(Crime No.19 of 2021)

2.Vallimayil

3.Xxxx

... Respondents

Prayer : Criminal Original Petition filed under Section 528 BNSS, to call for the records relating to proceedings in Spl.S.C.No.539 of 2024 on the file of the Principal District Court and Special Court for POCSO Act Cases, Tenkasi, Tenkasi District and to quash the same.

For Petitioner

: Mr.S.Sathyachidambaram

For R1

: Mr.A.S.Abul Kalaam Azad,
Government Advocate(Crl.side)



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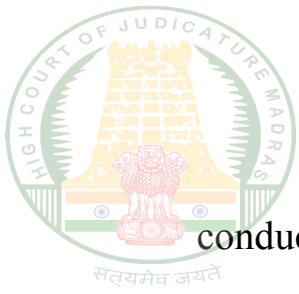
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ORDER

The petitioner, who is the accused in Spl.S.C.No.539 of 2024 on the file of the Principal District Court and Special Court for POCSO Act Cases, Tenkasi, Tenkasi District, has filed this petition to quash the said proceedings.

2.The case of the prosecution is that the petitioner herein is said to have committed penetrative sexual assault on the victim, who is minor, under the threat that he will post her morphing photos. Due to which, she got pregnant and she delivered a female child also. Based on the complaint given by the second respondent, who is the mother of the victim girl, a case in Cr.No.19 of 2021 came to be registered. Upon completion of investigation, the first respondent, has filed the final report, which was taken on file in Spl.S.C.No.539 of 2024 by the Principal District Court and Special Court for POCSO Act Cases, Tenkasi, Tenkasi District.

3.The learned counsel appearing for the petitioner submits that the allegations levelled in the FIR are baseless, but the first respondent has



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conducted the investigation and filed the final report mechanically.

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4.The learned Government Advocate(Crl.side) appearing for the first respondent submits that the grounds raised by the petitioner have to be appreciated only before the trial Court during the course of trial. Accordingly, he prays to dismiss the present petition.

5.This Court considered the rival submissions made on either side and perused the materials available in the records.

6.As rightly pointed out by the learned Government Advocate(Crl.side), the grounds raised in the present petition have to be appreciated only during the course of trial. Therefore, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed with liberty to the petitioner to raise all these grounds before the trial Court.

30.06.2025

Index : Yes/No

Internet:Yes

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<https://www.mhc.tn.gov.in/judis>



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To

- 1.ThePrincipal District Court and Special Court for POCSO Act Cases,
Tenkasi, Tenkasi District.
- 2.The Inspector of Police,
Sankarankovil AWPS,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

gns

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