



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15051 of 2026

Rohith @ Banu Bauri

..Petitioner(s)

Vs

1. The State By,
The Inspector of Police
M1, Madhavaram Police Station,
Chennai 600 110.
2. Suresh

..Respondent(s)

To transfer the case in Spl.SC.No.137 of 2024 from Special Court for Trial of Cases under POCSO Act, Tiruvallur to the Mahalir Neethi Mandram, (FTMC), Tiruvallur.

For Petitioner(s): Mr.E.Jagadeesh

For Respondent(s): Mr.A.Amarnath,
Government Advocate (Crl. Side) For R1

ORDER

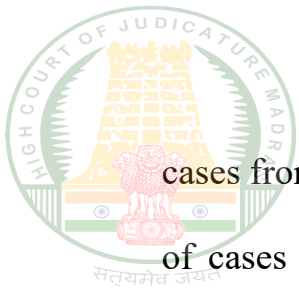
The petitioner/accused, who is facing trial in Spl.SC.No.137 of 2024 on the file of the Special Court for Trial of Cases under POCSO Act, Tiruvallur, for the offence under Section 366 IPC and Section 9 of Child Marriage Act, & Section 5(i) r/w. 6 of POCSO Act, has filed this transfer petition.



2. The contention of the petitioner is that he and the victim were in love with each other and both were working in a same factory for a considerable period. Thereafter, they elevated their relationship. However, the parents of the victim opposed the relationship and lodged a complaint, resulting in the present case being registered as though the petitioner had committed penetrative sexual assault on the victim. It is further submitted that earlier a petition seeking compromise of the quash petition was filed, but the same was withdrawn as compromise could not be arrived between the parties.

3. Thereafter, the petitioner filed Crl.OP.No.678 of 2026 to quash the proceedings in Spl.S.C.No.137 of 2024. While disposing of the said petition, this Court directed the Sessions Judge, Mahalir Neethimandram, Tiruvallur to dispose of the case as expeditiously as possible. In the meantime, the case has been transferred to Special Court for Trial of Cases under POCSO Act, Tiruvallur. Therefore, the petitioner seeks transfer of the case from the Special Court to the Mahila Court.

4. The learned Government Advocate (Crl. Side) submitted that the case was originally filed before the Mahila Court and the charge sheet was filed on 26.07.2024. Subsequently, pursuant to the proceedings in Roc.No.68177/2019/G4, a Special Court for exclusive trial of cases under POCSO Act was formed. After formation of the Special Court, all the POCSO

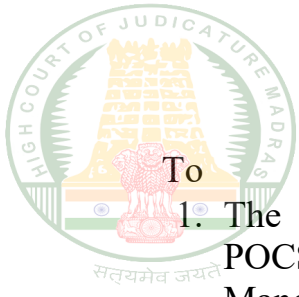


cases from the Mahila Court were transferred to Special Court for exclusive trial of cases under POCSO Act, including the present case. The petitioner at the time of filing Crl.OP.No.678 of 2026 had not mentioned about the transfer of the present case, hence order has been passed directing the Mahila Court to dispose of the case. Presently, the case is pending before the Special Court for exclusive trial of cases under POCSO Act and it is posted for examination of LW1 to LW3. Since the victim speaks only Hindi, the service of a translator has also been sought. Hence, the transfer of case is not required.

5. Considering the submissions made on either side and perusal of materials, it is seen that although the charge sheet was originally filed before the Mahila Court, the case stood transferred to the Special Court for exclusive trial of cases under POCSO Act following its constitution. In such circumstances, this Court finds no justification to entertain the present transfer petition. Accordingly, this Criminal Original Petition is dismissed.

15-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS



To

1. The Special Court for Trial of Cases under POC SO Act, Tiruvallur to the Mahalir Neethi Mandram, (FTMC), Tiruvallur
2. The Inspector of Police
M1, Madhavaram Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

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M.NIRMAL KUMAR, J.

PVS

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