



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 10125 of 2026

Rohan R Shah

..Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station,
Washermenpet, Chennai.
2. S.Kunjal
3. Sailesh Shukla
4. The Legal Manager
Vodafone Idea Limited,
PSA Fort, Plot No.A1 & A2 & B,
Nehru Nagar, 1st Main Road,
Perungudi, Chennai 600096.

..Respondent(s)

To call for the records in Crl.MP.No.402/2026 in Spl.SC.No.102/2023 on the file of the Honble Special Court Judge for Exclusive trial of Cases under POCSO Act, Chennai and set aside the order dated 01.04.2026.

For Petitioner(s):

Mr.Pradeep Jayaraman

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor, for R1

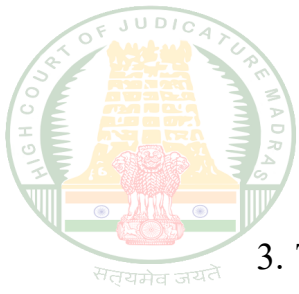


ORDER

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This Criminal Original Petition has been filed seeking to call for the records in Crl.MP.No.402/2026 in Spl.SC.No.102/2023 on the file of the Honble Special Court Judge for Exclusive trial of Cases under POCSO Act, Chennai and to set aside the order dated 01.04.2026.

2. The petitioner filed a petition under Section 94 of BNSS seeking to summon the following documents: a) the Union Bank of India account statement of the second respondent/defacto complainant from 01.04.2021 to 30.12.2022, b) Income Tax Returns of 2nd respondent for the financial year 2021-2022 and financial year 2022-2023, c) GST Registration Certificate of 2nd respondent's business, d) GST Returns of 2nd respondent's online business, e) Union Bank Account Statement (Sowkarpet Branch) of 3rd respondent from 01.04.2021 to 30.12.2022, f) IDFC bank Account Statement (Perambalur Branch) of 3rd respondent from 01.04.2021 to 31.12.2022, g) Kotak Mahindara Bank Account Statement (Govindappa Naickan Street Branch) of 3rd respondent from 01.04.2021 to 31.12.2022. h) GST Registration Certificate of 3rd respondent's business, i) GST returns of 3rd respondent business, j) CDR (Call Detail Record) and Mobile Tower Records of 3rd respondent mobile number 7871281291 for the period 19.12.2022 to 20.12.2022 maintained by 4th respondent.



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3. The contention of the petitioner is that he and the defacto complainant are neighbours. The case projected is that the victim came to the petitioner's house and at that time, the petitioner had made improper touch. The victim is said to have informed her mother about the said incident at 8.30 p.m. However, the victim's mother, PW1, defacto complainant not reacted immediately, she waited for her husband PW4 to arrive and thereafter, at about 9.40 to 10.00 p.m., they knocked the door of the petitioner's house and questioned him about the incident. Subsequently, the complaint was lodged on the next day at about 5.00 p.m. with inordinate delay. A case was registered against the petitioner under Sections 8 and 10 of POCSO Act. This shows that it was only a concocted story and the petitioner was framed.

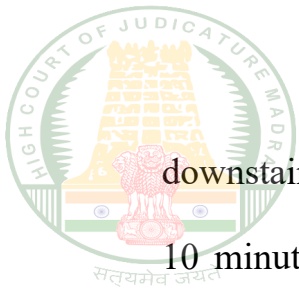
4. It is further contended that the defacto complainant/PW1 and her husband/PW4, used to get financial assistance from the petitioner through Google Pay and other digital modes. The petitioner had examined himself as DW1 and marked his Bank statements to show that there have been transfer of funds to PW1 and PW4. When the petitioner refused further financial assistance, a false complaint was lodged against him. The petitioner is facing trial under POCSO Act and those documents are necessary to prove his case. Hence, the present petition has been filed.



5. The learned Additional Public Prosecutor submitted that PWs.1 to 4 were examined on 19.02.2026 and the prosecution evidence was closed. The petitioner was examined under Section 313 Cr.P.C. and thereafter, the petitioner and his wife were examined as DW1 and DW2 on 17.03.2026. The petitioner has already marked his bank statements. He further submitted that the grievance raised by the petitioner is only factual in nature and he has produced documents and gave evidence and that can be addressed at the stage of final arguments, and thus summoning the requested documents is unnecessary. The petitioner already produced Bank Statements and relying upon the same, defence raised by the petitioner can be addressed during his arguments.

6. On a perusal of records. it is seen from the evidence of DW1 that the maximum limit of alleged loan transactions with the victim child's father were Rs.2,000/-. DW2, the wife of the accused deposed that her husband/the accused had sent only small amounts to the father of the victim child through G pay. The evidence of DW1 and DW2 show that there is no necessity to call upon the defacto complainant and her husband to produce their bank statements, GST returns, GST registration Certificate etc.

7. With regard to the request of Call Detail Records and mobile tower locations details, the evidence of DW1 and DW2 together shows that on the day of occurrence at about 9.45 p.m., PW3 visited their house and took DW1 to



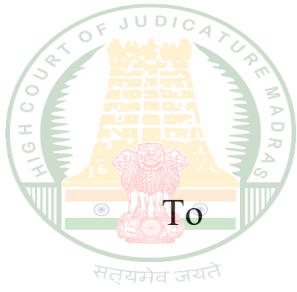
downstairs. If that be the case, PW3 ought to have returned to his house at least 10 minutes before 9.45 p.m. So when it is admitted case of the accused that PW3 returned home around 9.30 p.m. there is no necessity to send for the CDR details, mobile tower location details of PW3 to prove that he returned only by 10 p.m. on that day. Further the time of return of PW3 to his home on the day of occurrence is not an important fact to this case.

8. The Trial Court observed that the petition appears to have been filed with an intention to protract the proceedings.

9. In view of the above, this Court finds no infirmity in the order passed by the Trial Court. There are no grounds to interfere with the same. Accordingly, Criminal Original Petition is dismissed.

22-04-2026

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



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1. The Special Judge for Exclusive trial of Cases under POCSO Act,
Chennai

2. The Inspector of Police,
All Women Police Station,
Washermenpet, Chennai.

3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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