



WEB COPY

CRL OP No. 10175 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

CRL OP No. 10175 of 2026

in

CRL.A.SR.No.9118 of 2026

The State of Tamilnadu Rep. by The Inspector of
Police
All Women Police Station,
Jayankondam,
Ariyalur District.
Crime No. 9/2021.

..Petitioner(s)

Vs

Ayyappan
S/o.Mani,
Mantoppu Thidal,
Mathakalam,
Valangaiman Taluk,
Thiruvavarur District.

..Respondent(s)

PRAYER: To grant leave to file an appeal to this Honble Court against the acquittal judgment passed in the Family Court, Sessions Judge (FAC) Fast Track Mahila Court, Ariyalur in Spl.S.C.No. 20/2021 dt. 06.06.2024 and thus render justice.

For Petitioner(s):	Mr.R.John Sathyan, State P.P
For Respondent(s):	Mr.R.Thangamani

ORDER

Heard the learned counsel for the Petitioner/appellant and the learned counsel for the private Respondent /accused,



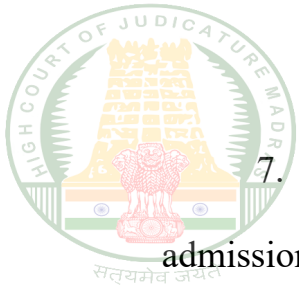
2. This Petition has been filed seeking leave to file an Appeal against leave under Section 378 (4) Cr.P.C., r/w Section 419 (4) of the BNSS, Act, 2023.

3. The Court has acquitted the respondent by giving the benefit of doubt only with reference to the age of the victim by disbelieving Ex.P9 dated 30.04.2021 issued by PW16 and Ex.P10 which is the extract from the Register of the School where the victim was admitted which records the Date of Birth of the victim as 07.07.2003 It is an admitted position that the victim has not pursued further education implying that she would not have obtained Matriculation Certificate which would normally record the Date of Birth.

4. The question whether the Respondent was entitled to the benefit of doubt would require a detailed consideration

5. Considering the fact that the Respondent was accused of heinous offences under provisions of POCSO Act, 2012, I am inclined to grant leave in this Appeal.

6. Accordingly this Petition stands allowed



7. Registry is directed to number the appeal and list this case for admission. At the time of admission, the Registry may also print the name of the learned counsel for the Respondent, who appears today who shall file a separate vakalat.

8. List this case on 22.06.2026.

08-06-2026

Neutral Citation: Yes/No
GV

To

Ayyappan
S/o.Mani,
Mantoppu Thidal,
Mathakalam,
Valangaiman Taluk,
Thiruvavarur District.



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C.SARAVANAN, J.

GV

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