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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2026

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

CRL OP(MD) No. 25037 of 2026

CNR:{HCMD011445052026}

Case QR

AND

CRL MP(MD) Nos. 23313 and 23315 of 2026

S.Vijayakumar
S/o.Savier,
Sethurajan Street,
Edaiyankulam, Sivagiri Taluk,
Tenkasi District.

..Petitioner(s)

Vs

1. State Of Tamilnadu Rep By Inspector Of Police,
   AWPS – Puliangudi Police Station,
   Tenkasi District,
   Crime No.27/2026.

2. P.Subbaiah
   S/o.Palanisamy,
   Kumarapalayam,
   Kattur, Kumarapalayam Taluk,
   Namakkal district.

3. xxxx
   xxxxx,
   xxxxx,
   xxxxx,
   Namakkal district.

..Respondent(s)

PRAYER: This Petition filed under Section 528 of BNSS to call for records relating to the proceedings dated 11.06.2026 in Spl.S.C.No.95/2026 on the file of Principal District Judge, Tenkasi and quash the same as illegal.

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For Petitioner(s) : Mr. K.Neethimohan

For Respondent(s) : Mr.V.Shathurthi Raja,
Government Advocate (Crl.Side)
For R1

ORDER

This Criminal Original Petition has been filed by the sole accused in Spl.S.C.No.95/2026 on the file of Principal District Judge, Tenkasi seeking to quash the charge sheet, wherein the petitioner is charged with the offences under Sections 10 and 9(b)(iii) of POCSO Act, 2012.

2.A perusal of the charge sheet reveals that midnight at about 12.00 am., on 30.05.2026, the petitioner said to have misbehaved with the victim girl.

3.According to the learned counsel appearing for the petitioner, false complaint has been lodged as against the petitioner. He submits that when the entire village had assembled for temple function, such incident could not have happened at all.

4.Heard the learned counsel for the petitioner and perused the materials available on record.

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5.As could be seen from the charge sheet, there is a specific overt act that the petitioner misbehaved with the victim girl. Whether there was any motive for the girl or her parents or whether such incident had not taken place is a factual dispute, which is to be decided only during the trial. In such circumstances, this Court is not inclined to interfere with the trial. However, the presence of the petitioner before the trial Court shall stand dispensed with, unless specific orders are passed by the trial Court.

6.Finding no merits, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

03-11-2026

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

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To

1. Inspector Of Police, Awps - Puliangudi
   Police Station
   Tenkasi District

2. The Principal District Judge, Tenkasi

3. The Additional Public Prosecutor
   Madurai Bench of Madras High Court
   Madurai

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R.VIJAYAKUMAR, J.
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CRL OP(MD) No. 25037 of 2026

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