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W.P.No.20751 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 23.07.2026

DELIVERED ON : 29.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.20751 of 2026

XXX

Petitioner(s)

Vs

1. The Director General of Police
No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
2. The Commissioner of Police
Greater Chennai Police
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.
3. The Inspector General of Police
North Zone, Railway Station Road,
Alandur, Chennai, Tamil Nadu - 600 016.
4. The Inspector General of Police
South Zone, No.1 Race Course Colony,
New Natham Road, Bimbikulam,
Madurai - 625 002.
5. The Inspector General of Police
West Zone, Karunanidhi Nagar,
Padma layout, Ramanathapuram,
Coimbatore, Tamil Nadu - 641 045.



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6. The Inspector General of Police
Central Zone, VS Tollgate Road,
Kallukuzhi, Trichy - 620 020.

7. The Registrar General
High court of Judicature at Madras,
Chennai - 600 104

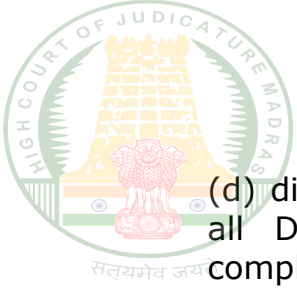
Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of:

(a) a writ of mandamus/directions to all Principal District and Sessions Courts, Additional Sessions Courts, Mahila Courts and other Special Courts in Tamil Nadu entrusted with the trial of rape and sexual offence cases to strictly comply with the mandatory two-month timeline under the proviso to Section 346(1) BNSS, and to ensure day-to-day examination of witnesses without grant of unnecessary adjournments - including, specifically, directions to the Mahila Court, Tiruvannamalai to immediately frame charges in S.C.No.184/2025 and to the Principal District and Sessions Court, Ranipet to complete the pending trial in S.C.No.119/2025 expeditiously;

(b) direct the 2nd to 6th Respondent to file a comprehensive affidavit within four weeks disclosing (i) the number of rape cases pending before all Sessions Courts, Additional Sessions Courts and Mahila Courts in Tamil Nadu; (ii) for each such case, the date of filing of chargesheet, date of commencement of trial, and current stage; (iii) the number of cases where the two-month mandatory period under Section 193 BNSS has been breached; and (iv) steps taken or proposed by the State to ensure compliance with Section 193 BNSS;

(c) direct the 2nd to 6th Respondent to submit a report within four weeks on (i) The specific departmental and criminal action taken against the accused police constables (Suresh Raj and Sundar) in S.C.No.184/2025; (ii) Systems and safeguards implemented or proposed to prevent misuse of police authority in crimes against women, particularly during night patrol duties;



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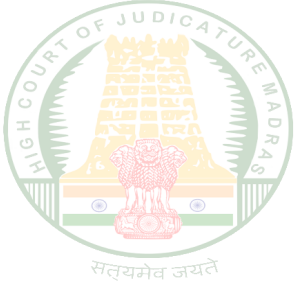
(d) direct the 7th Respondent to (i) issue a comprehensive circular to all District and Sessions Judges in Tamil Nadu directing strict compliance with Section 346(1) BNSS; (ii) formulate and implement a case-management and monitoring system for tracking rape trial timelines across all subordinate courts in Tamil Nadu; and (iii) require all Sessions Courts and Mahila Courts to furnish monthly reports of rape and sexual offence cases indicating the date of filing of chargesheet and current status of trial, for monitoring by this Court.

(e) direct the 7th Respondent to ensure that in S.C.No.184/2025 before the Mahila Court, Tiruvannamalai, the examination of witnesses be conducted in camera as mandated by Section 366(2) BNSS, that a screen or facility to prevent the victim from seeing the accused during examination is provided if requested, and that a support person is available to the Petitioner during her deposition;

(f) direct the 7th Respondent, in exercise of this Court's supervisory jurisdiction under Article 227 of the Constitution, in implementation of the binding directions of the Supreme Court in Alakh Alok Srivastava v. Union of India, (2018) 17 SCC 291, and in enforcement of the directions issued by the Division Bench of this Court in Uma Maheshwari v. The Principal Secretary to Government, H.C.P. (MD)No.1423 of 2024, dated 10.10.2025, which have remained unimplemented, to:

(i) immediately reissue circular Roc.No.543/RG/2023/POCSO dated 12.07.2024 to all Presiding Officers of POCSO Special Courts in Tamil Nadu, with specific directions to comply with Section 35 of the POCSO Act in letter and spirit, ensuring that child victims evidence is recorded within thirty days of cognizance and that trials are completed within one year of cognizance;

(ii) ensure that all cases registered under the POCSO Act across all districts in Tamil Nadu are tried and disposed of by duly constituted Special Courts under Section 28 of the POCSO Act, and that Presiding Officers of such courts



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are sensitised in child protection and psychological response;

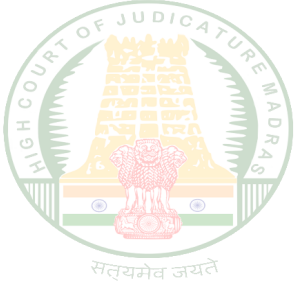
(iii) issue directions to all POCSO Special Courts in Tamil Nadu to fast-track pending cases without unnecessary adjournments, following the procedure under the POCSO Act and completing trials within the statutory timeframe;

(iv) constitute a Committee of Judges of this Honble Court to regulate and monitor the progress of all POCSO trials across all districts in Tamil Nadu - covering all zones, including those under the Principal Bench - and to require all POCSO Special Courts to furnish periodic compliance reports disclosing date of cognizance, current stage of trial, and reasons for any delay beyond the mandatory timelines;

(v) direct the Tamil Nadu State Judicial Academy to conduct special training sessions for Presiding Officers of all POCSO Special Courts in Tamil Nadu, sensitising them to the 30-day evidence recording requirement under Section 35(1), the obligation to take prompt cognizance of electronically filed chargesheets, and the one-year trial completion mandate under Section 35(2); and

(vi) direct the 1st Respondent to ensure that the Director General of Police constitutes a Special Task Force to ensure proper investigation of POCSO offences and production of witnesses before trial courts on all dates fixed, in compliance with direction 25.5 of Alakh Alok Srivastava (supra);

(g) Pass such further and other orders as this Court may deem fit and proper in the facts and circumstances of this case and in the interests of justice, including awarding costs of this petition.



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For Petitioner(s): Mr.S.Kamalakannan
for Ms. K.Jayasudha
and Ms. S.Sundaravalli

For Respondent(s): Mr.John Sathyan
State Public Prosecutor
Assisted by
Mr.Arun Anbumani
Additional Public Prosecutor
and Mr.M.Dinesh
Govt Advocate (Criminal Side)
for R1 to R6

Mr.Vasanthakumar Vengadessane
for R7

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed by a young woman who is herself a survivor of a brutal sexual assault committed allegedly by two persons who were police constables. She has approached this court not merely to seek redress for the wrong done to her, but also, in the true spirit of public interest litigation, on behalf of every other survivor of rape and sexual violence in this State whose case languishes in trial courts long after the time frame stipulated by law.



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2. The petitioner highlights that as per the proviso to Section 346(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), a rape trial, once the charge-sheet is filed, should be over within two months. She also points out that Section 35 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO Act"), which mandates that a child victim's evidence shall be recorded within thirty days of cognizance and the trial concluded, as far as possible, within a year therefrom. According to the petitioner, both these provisions are not being adhered to across this State.

3.1. Succinctly put, the facts relevant run thus: The petitioner is a twenty-six-year-old woman belonging to the Scheduled Caste community, a permanent resident of Andhra Pradesh. On the night of 29.09.2025, while travelling with her foster mother and her uncle, a lorry driver, on a pilgrimage-cum-delivery trip to Tiruvannamalai, their vehicle was stopped in the early hours of 30.09.2025 by two police constables, Suresh Raj and Sundar, attached to the Tiruvannamalai East Police Station, who were then on night patrol duty.



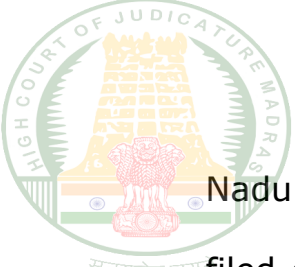
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3.2. It is stated that, under the guise of an official check, the two constables separated the petitioner and her foster mother from the lorry, made them ride pillion on police motorcycles and took them to a secluded spot near the Olaiyaru River Bridge. The petitioner's foster mother, sensing danger, jumped off the moving motorcycle and sustained injuries. The petitioner alleges that she was raped by both constables in succession at that isolated location.

3.3. It is asserted that the matter was reported that same morning. An FIR was registered as Crime No.68 of 2025 on the file of the All Women Police Station, Tiruvannamalai, under Sections 87, 70(1), 68(b) and 115(2) of the Bharatiya Nyaya Sanhita, 2023. Both accused were arrested on the same day. The petitioner's mobile phone and the accused's official patrol motorcycles were recovered. Both constables were placed under suspension and, within three days, dismissed from service.

3.4. It is stated that the bail applications filed by both the accused were rejected by the Sessions Court, Tiruvannamalai, and thereafter by this Court. They were further detained under the Tamil

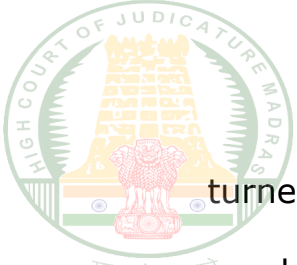


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Nadu Prevention of Dangerous Activities Act. The final report was filed on 04.11.2025. The case was taken on file as P.R.C.No.09 of 2025 and committed to the Mahila Court, Tiruvannamalai, as S.C.No.184 of 2025 on 11.12.2025.

3.5. As on the date this writ petition was affirmed, that is, 07.04.2026, the case had not proceeded beyond the stage of framing of charges, more than five months after the charge-sheet was filed.

3.6. The petitioner has also placed before this court the facts of a second case, concerning a nineteen-year-old girl from Vellore who was gang-raped on 07.09.2025 near Ranipet. That case, registered as Crime No.48 of 2025 at the All Women Police Station, Ranipet, resulted in the arrest of three accused within twenty-four hours, and the charge-sheet was filed on 27.10.2025. The case was committed as S.C.No.119 of 2025 and trial commenced on 03.02.2026, roughly thirty-eight days after the two-month statutory deadline had already run out. The petitioner draws attention to the fact that an observation-mahazar witness (PW.5), had already



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turned hostile by the time the petition was filed. It is, therefore, emphasized by the petitioner that delay is dangerous.

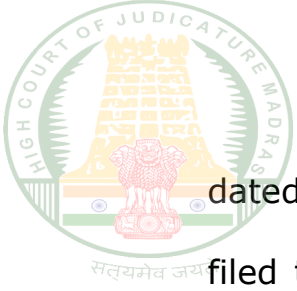
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3.7. On the basis of these two cases, the petitioner seeks wide-ranging directions, alluded to in the prayer clause of this order.

4. By an order dated 27.05.2026, this Court had called for a report from the respondent/State on the specific grievances raised in the writ petition.

5. This Court, by order dated 22.06.2026, directed the Registry to file a comprehensive report on the total number of POCSO cases pending in every District of Tamil Nadu, the number of Courts presently functioning for POCSO trials, the districts where Presiding Officers need to be posted, the number of new courts required, and the infrastructure needed for the quick disposal of such cases.

6. In compliance with these orders, two detailed reports have been placed on record, one by the Registrar General of this Court,



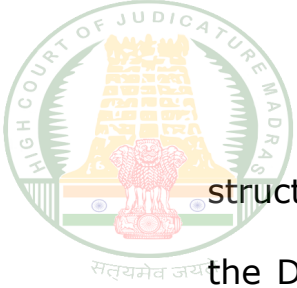
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dated 06.07.2026, and the other by the Director General of Police, filed through the Assistant Inspector General of Police (High Court Cases Monitoring Cell) dated 15.07.2026. Both reports have been examined by this Court in great detail.

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7.1. In the report of the Director General of Police, it is confirmed that the FIR was promptly registered, that the final report was filed within the statutory period, that both accused were suspended and later dismissed from service by orders dated 02.10.2025, and that as on the date of the report, the trial in S.C.No.184 of 2025 before the Fast Track Mahila Court, Tiruvannamalai, has in fact commenced, with witness examination in progress. Summons have been issued to L.Ws.9 to 11, and the next hearing was posted for 14.07.2026. The report makes it clear that between the date the petition was affirmed (April 2026) and the date of this report (July 2026), the case has moved from the pre-charge stage to active trial, with witnesses being examined.

7.2. On the wider question of safeguards against misuse of police authority, the report describes a multi-tier supervisory

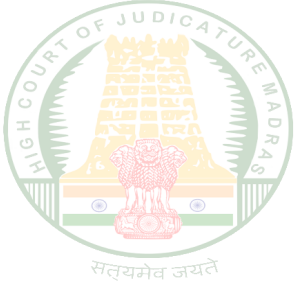


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structure already in place, viz., Night Round Supervisory Officers at the District, Sub-Division and Police Station levels; continuous VHF monitoring from District and City Police Control Rooms; mandatory Duty Books and Patta Books; and the 100/112 police emergency response system through which any member of the public, including a complainant against police personnel, can seek immediate and independently recorded redressal. The report affirms that whenever misconduct or criminality on the part of a police officer comes to light, departmental action and criminal prosecution proceed simultaneously and without delay, and that the present case is offered as an illustration of that commitment.

7.3. The report further states that

(i) as on the date of the report, 1,920 rape cases (registered both under the BNS and the erstwhile IPC) were pending trial across Tamil Nadu. In only 1,055 of these cases (54.9%), the final report was filed by the police within the sixty-day period contemplated under Section 193(2) BNSS.



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(ii) 18,518 POCSO cases were pending trial, of which the final report was filed within sixty days in 12,983 cases (70.1%).

(iii) Of the 1,916 rape cases where trial is pending after filing of the final report, in as many as 1,471 cases (76.7%) the trial has already crossed the two-month period mandated by the proviso to Section 346(1) BNSS.

(iv) Of 18,870 pending POCSO trials, in 10,202 cases (54.06%) the trial has exceeded the one-year period contemplated under Section 35(2) of the POCSO Act.

(v) Only 3,170 POCSO cases (16.7%), saw the victim's evidence recorded within the mandatory thirty days under Section 35(1) of the POCSO Act.

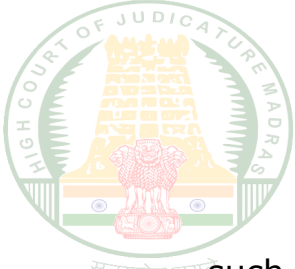
(vi) 149 rape cases and 4,729 POCSO cases remain pending even at the stage of being taken on file by the courts, after the final report has already been filed by the police.



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These figures are sobering and this court does not propose to explain them away. At the same time, the report is candid about the causes of delay, viz., pendency of forensic reports; delay in obtaining dates from Magistrates for recording statements under Section 183 BNSS; absence of sanctioned POCSO courts in twenty districts; vacancies of Presiding Officers; non-integration of the Court Case Information System with the CCTNS and ICJS platforms; and the practice of returning final reports for rectification instead of taking them on file with defects communicated separately, contrary to Rule 25(6) of the Criminal Rules of Practice, 2019.

8.1. Learned Public Prosecutor appearing for respondent Nos.1 to 6, has drawn this Court's specific attention to certain further developments which, in fairness, must be recorded. He submits that many of the directions sought in this writ petition already stand substantially complied with; that the trial in the petitioner's own case, S.C.No.184 of 2025, is now proceeding on a day-to-day basis before the Fast Track Mahila Court, Tiruvannamalai, and that a number of witnesses have already been examined.

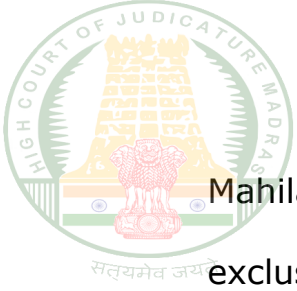


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8.2. He further submits that the infrastructure for handling such cases is being upgraded across the State and that the Government has taken a decision to set up DNA testing laboratories in various districts so that forensic reports can be obtained far more quickly, than at present.

8.3. He also submits that a mechanism already exists in the form of the Special Task Force in every District and Commissionerate; a dedicated Crime Against Women and Children Wing headed by an Additional Superintendent of Police is entrusted with the monitoring and supervising of the investigation and trial in Crime Against Women and Children cases, including POCSO and rape cases; and that periodic review meetings are being held. He adds that all of these steps are intended precisely to monitor and expedite cases of this nature.

9.1. Learned counsel appearing on behalf of the Registrar General, on the basis of the report filed, submitted that twenty Special Courts are functioning as Principal Special Courts exclusively for POCSO trials, with the existing Mahila Courts and Fast Track



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Mahila Courts designated as Additional Special Courts wherever no exclusive court exists. It is pointed out that, in the six newly formed districts, the Principal District Court of each such district has been designated as the Special Court for POCSO trials pending the constitution of exclusive courts. He added that a further six Special Courts have already been sanctioned by the Government, but are yet to be constituted. He also submitted that four POCSO courts presently have no Presiding Officer posted. He drew our attention to the District-wise pendency figures.

9.2. He further submitted that a Committee of this Court, constituted for the effective implementation of the Juvenile Justice Act and to regulate and monitor the progress of trials under the POCSO Act and the NDPS Act, already exists and continues to monitor the courts dealing with POCSO cases across the State and the Union Territory of Puducherry.

10. Upon perusing the reports filed by the State Police and the Registrar General and on considering the submissions advanced, this Court is satisfied that the petitioner has rendered a genuine



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public service in bringing this matter to light. Her grievance is not an isolated or exaggerated one; it is borne out by the State's own statistics. Equally, this Court must acknowledge, fairly and without hesitation, that considerable ground has already been covered since the petition was filed. The trial in her own case is now underway, evidence is being recorded and the State has placed before the Court a set of thoughtful and workable suggestions for systemic reform.

11. We shall now address each prayer individually, setting forth our findings and issuing appropriate directions under each respective head.

Prayer (a) — Compliance with the two-month timeline and the two named cases

12.1. So far as S.C.No.184 of 2025 is concerned, the report of the Director General of Police itself shows that charges have since been framed, that trial has commenced and that witnesses are being examined on a day-to-day basis, with summons already issued to L.Ws.9 to 11. This Court, therefore, does not consider it

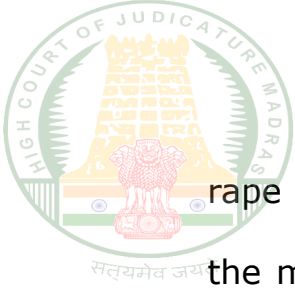


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necessary to issue a separate mandamus for the framing of charges, that stage having been overtaken by events. What is necessary, however, is to ensure that the momentum already gained is not lost. The Fast Track Mahila Court, Tiruvannamalai, is directed to continue the trial in S.C.No.184 of 2025 on a day-to-day basis, without unnecessary adjournments, and make every effort to conclude the trial as expeditiously as possible.

12.2. So far as S.C.No.119 of 2025 (Ranipet) is concerned, trial has commenced, but this Court notes with some concern that a material witness has already turned hostile. The Principal District and Sessions Court, Ranipet, is directed to complete the trial, as expeditiously as possible, and record the evidence of the remaining witnesses without further loss of time, keeping in mind the observations made below regarding the protection of witnesses in such cases.

12.3. This Court further directs all Principal District and Sessions Courts, Additional Sessions Courts, Mahila Courts and other Special Courts in Tamil Nadu, presently seized of the trial of



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rape and sexual offence cases, to make every effort to comply with the mandatory two-month timeline prescribed under the proviso to Section 346(1) of the BNSS, and not grant adjournments in any such case, except for truly exceptional reasons to be recorded in writing, bearing in mind the mandate of Section 346(2) of the BNSS.

Prayer (b) — Disclosure of case-wise data by the police

13. The Director General of Police has already furnished, through the report filed on 15.07.2026, the State-wide data as sought in this prayer. Therefore, no further directions are required to be issued in this regard.

Prayer (c) — Accountability regarding the accused constables and safeguards against misuse of authority

14.1. The report of the Director General of Police discloses that both accused constables were suspended within hours and dismissed from service within three days of the incident. It is further stated that a multi-tier supervisory mechanism for night



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patrols, backed by continuous control-room monitoring and the 100/112 helpline, is in place across the State.

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14.2. This Court finds that the departmental response in this particular case has been swift and no further direction is required on that score.

14.3. As regards the broader safeguards against misuse of police authority during night patrol duties, the Director General of Police is directed to review, every year, the adequacy of the existing supervisory mechanisms described in the report and strengthen them wherever gaps are found, particularly in remote and poorly lit stretches of highway of the kind where this unfortunate incident occurred. The authorities should ensure that instances of this nature, where the protectors have turned predators, should never recur.

Prayer (d) — Circular and monitoring system
by the Registrar General

15. The Registrar General is directed to issue, within four weeks, a circular to all District and Sessions Judges in the State



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reiterating the obligation to comply with Section 346(1) of the BNSS and the mandate of recording reasons while granting adjournment as contemplated under Section 346(2) of the BNSS.

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Prayer (e) — Protective measures for the petitioner's deposition

16. In our considered opinion, this is a reasonable request. The Registrar General is directed to forthwith address a communication to the court concerned to ensure that, in S.C.No.184 of 2025, the examination of the petitioner and other witnesses is conducted in camera strictly in consonance with the mandate of Section 366(2) of the BNSS.

Prayer (f) — POCSO-Specific Directions

17.1. The Registrar General shall, within four weeks, reissue Circular ROC.No.543/RG/2023/POCSO, dated 12.07.2024, to every Presiding Officer of a POCSO Special Court in the State, with a specific reminder of the obligation, under Section 35 of the POCSO Act, to record the evidence of a child victim within thirty days of



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cognizance and to conclude the trial, as far as possible, within one year.

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17.2. The State Government and the Registrar General shall jointly ensure that every POCSO case in the State is tried by a duly constituted Special Court under Section 28 of the POCSO Act, and that Presiding Officers of such courts receive training in child-sensitive procedure.

17.3. All POCSO Special Courts shall, as far as possible, after framing of charges, list such cases on consecutive or closely spaced dates, and shall restrict adjournments to genuinely exceptional circumstances.

17.4. The Committee for Effective Implementation of the Juvenile Justice Act and to Regulate and Monitor the Progress of Trials under the POCSO Act and NDPS Act shall regulate and monitor the progress of POCSO trials across every district of the State and shall call for periodic compliance reports disclosing the



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date of cognizance, the current stage of trial and the reasons for any delay beyond the statutory timelines.

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17.5. The Tamil Nadu State Judicial Academy shall periodically conduct special training sessions for the Presiding Officers of all POCSO Special Courts on the thirty-day child-evidence-recording requirement, the obligation to take prompt cognizance of electronically filed chargesheets, and the one-year trial-completion mandate under Section 35(2) of the POCSO Act.

17.6. The Director General of Police shall ensure that the Special Task Force already constituted under G.O.(Ms.) No.179, Home (Police-12) Department, dated 15.04.2025, functions in every district with the effectiveness envisaged, so as to secure proper investigation of POCSO offences and the timely production of witnesses before trial courts, in tune with the direction contained in paragraph 25.5 of the judgment of the Supreme Court in *Alakh Alok Srivastava v. Union of India*¹ which mandates that "*The Director General of Police or the officer of equivalent rank of the States shall*

¹ (2018) 17 SCC 291



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constitute a Special Task Force which shall ensure that the investigation is properly conducted and witnesses are produced on the dates fixed before the trial courts."

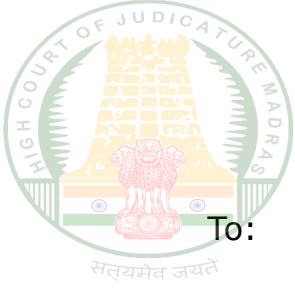
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17.7. This Court also directs that the four presently vacant POCSO courts at Cuddalore, Dindigul, Madurai and Thoothukudi be filled at the earliest and that the Government take an early decision on constituting the six Special Courts already sanctioned, but not yet set up, reporting the progress made to this Court through the Registrar General within two months.

In the result, the writ petition is disposed of with the directions set out above. All the directions and timelines recorded in the body of this judgment shall be complied with within the periods respectively indicated. There shall be no order as to costs.

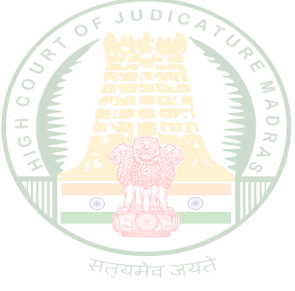
(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
29.07.2026

Index : Yes
Neutral Citation : Yes
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To:

1. The Director General of Police
No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
2. The Commissioner of Police
Greater Chennai Police
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West Zone, Karunanidhi Nagar,
Padma layout, Ramanathapuram,
Coimbatore, Tamil Nadu - 641 045.
6. The Inspector General of Police
Central Zone, VS Tollgate Road,
Kallukuzhi, Trichy - 620 020.
7. The Registrar General
High court of Judicature at Madras,
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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