



Crl.O.P.No.7361 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7361 of 2024
and Crl.M.P.Nos.5345 & 5346 of 2024

1.Jayakumar
2.Kalaiselvi
3.Soniya
4.Sugandhira

... Petitioners

Versus

1.The State Rep by
The Inspector of Police
Ramanathan Police Station
Cuddalore District
(Cr.No.125/2015)

2.Thenmozhi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, call for the records pertaining to a case in STC.No.223 of 2015 on the file of the learned District Munsif-cum-Judicial Magistrate, Tittagudi Court, Cuddalore District and quash the same.

For Petitioner : Mr.K.Karuppaiyamooppanar

For Respondents : Mr.K.M.D.Muhilan for R1
Additional Public Prosecutor

ORDER



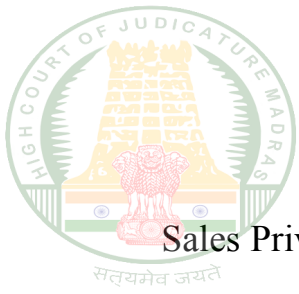
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This petition has been filed to call for the records pertaining to a case in STC.No.223 of 2015 on the file of the learned District Munsif-cum-Judicial Magistrate, Tittagudi Court, Cuddalore District and quash the same.

2. It is the case of the prosecution that while the defacto complainant was washing the utensils, the petitioners abused, attacked the defacto complainant and threatened with dire consequences. It is the contention of the petitioner that they are falsely implicated in the case and the charge-sheet is liable to be quashed.

3. Heard both sides and perused the materials placed on record.

4. At the outset, the question of quashment of final report does not at all arise, when the statement of the witnesses makes out a prima facie case, it is for the Trial Court to appreciate the evidences and this Court cannot conduct roving enquiry while exercising its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the defence before the trial Court and the Court below shall consider the same on its own merits and in accordance with law. In this regard, it is relevant to note that the Hon'ble Supreme Court in the case of Gunmala



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Sales Private Limited Vs. Anu Mehta and others reported in (2015) 1 SCC 103 has

held that High Court cannot conduct a mini trial or roving enquiry in a 482 petition. It is brought to the notice of this Court that non-bailable warrant is pending as against the petitioners/A2 to A4. Such view of the matter, the petitioners are directed to appear before the Trial Court and file application for recalling the non-bailable warrant, on such application, the Trial Court shall consider the same liberally and proceed with the Trial on its own merits.

5. Accordingly, this petition stands dismissed. Consequently, connected miscellaneous petitions stand closed.

12.08.2025

dhk

Index : Yes
Internet : Yes

To

1.The District Munsif-cum-Judicial Magistrate,
Tittagudi Court, Cuddalore District

2.The Public Prosecutor
Madras High Court

N. SATHISH KUMAR, J.



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