



Crl.O.P.No.26771 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.26771 of 2025 & Crl.M.P.No.18173 of 2025

Pavithra Flora Agnes

... Petitioner

Vs.

1.State represented by
The Inspector of Police
W-1, All Women Police Station
Thousand Lights, Chennai – 600 006
(Cr.No.14 of 2025)

2.Preetha

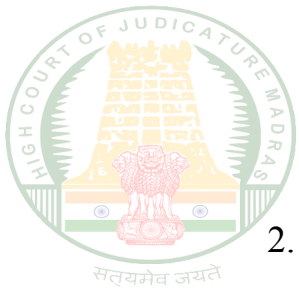
... Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to call for the records in Cr.No.14/2025 on the file of the first respondent for the offence under Sections 64, 351(3) and 49 of BNS, 2023 and quash the same.

For Petitioners : Mr.C.V.Kumar
For Respondents : Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)

ORDER

This petition has been filed to call for the records in Cr.No.14/2025 on the file of the first respondent for the offence under Sections 64, 351(3) and 49 of BNS, 2023 and quash the same.



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2. The allegations in the FIR indicates that the accused and the defacto complainant stayed together in a room and had liquor, after fully intoxicated she was subjected to rape. Though the allegations mainly directed against the A1, the fact remains that all stayed together, whether offence of rape was committed or not has to be investigated properly and all these factual aspects cannot be decided in this petition and this Court cannot conduct roving enquiry or mini trial. In this regard, it is relevant to note that the Hon'ble Supreme Court in the case of *Gunmala 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.

3. Such view of the matter, at this stage, this Court is not inclined to quash the FIR. Accordingly, this petition stands dismissed. Consequently, connected miscellaneous petition stands quashed.

06.10.2025

dhk

Neutral Citation: Yes/No



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WEB COPY

To

1. The Inspector of Police
W-1, All Women Police Station
Thousand Lights, Chennai – 600 006

2.The Public Prosecutor,
High Court of Madras.



WEB COPY



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N. SATHISH KUMAR, J.

dhk

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