



Crl.O.P.(MD)No.153 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.153 of 2024
& Crl.M.P.(MD)No.104 of 2024

1.Mariappan
2.Maheswari

... Petitioners

Vs.

1. The Inspector of Police,
District Crime Branch,
Thoothukudi.
Crime No.21 of 2022

2. Mohammed Khan @ Noogukhan Mohammed

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records pertaining to the impugned charge sheet in CC No.668/2023 on the file of the Judicial Magistrate No.IV, Thoothukudi and quash the same.

For Petitioners : Mr.C.Ezhilarasu

For Respondents : Mr.B.Thanga Aravindh (R1)
Government Advocate (Crl.)
No appearance (R2)



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ORDER

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This Criminal Original Petition is filed to call for the records pertaining to the case in CC No.668/2023 on the file of the Judicial Magistrate No.IV, Thoothukudi and quash the same as illegal.

2. It is the contention of the learned counsel appearing for the petitioners that no case is made out from the materials collected by the prosecution as against the petitioners. Hence, he seeks to quash the final report.

3. However, the learned Government Advocate appearing for the respondent police submitted that the case pertains to job racketing and that PW1 has already been examined in chief and the cross-examination has also been concluded. Further, there are as many as 65 victims in this case. The evidence clearly sets out the manner in which the offence had taken place.

4. As the substantive evidence had already come on record and documents have also been marked through the witnesses, at this stage, this Court cannot conduct a mini trial. This Court, exercising its jurisdiction under Section 528 BNSS, cannot conduct a roving enquiry or mini trial as held by the Hon'ble Supreme Court in ***Gunmala Sales Private Limited v. Anu Mehta and***



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others reported in **(2015) 1 SCC 103**. Since already PW1 has already been examined in chief and cross-examination is also concluded, it is for the trial Court to take note of it and proceed as per law. Hence this Court is not inclined to quash the proceedings. However, the trial Court is directed to complete the trial as expeditiously as possible in CC No.668/2023 on the file of the Judicial Magistrate No.IV, Thoothukudi, within a period of one year from the date of receipt of a copy of this order, as many as 65 victims are affected by the modus operandi of the petitioner.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions stand closed.

13.02.2026

NCC : Yes / No
Index : Yes / No
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TO:-

1. The Inspector of Police,
District Crime Branch, Thoothukudi.
2. The Judicial Magistrate No.IV, Thoothukudi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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L.VICTORIA GOWRI, J.

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Order made in
Crl.O.P.(MD)No.153 of 2024

Dated
13.02.2026