



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

**Crl.O.P.(MD).No.1291 of 2024
and
Crl.M.P(MD).Nos.895 and 896 of 2024**

1.Ajesh Ragav
2.Akilesh Raghavi ... Petitioners
Vs.

1.State rep., by
The Inspector of Police,
Theni Police Station,
Theni.

2.Navaneethan .. Respondents

PRAYER: This Criminal Original Petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records relating to the charge sheet dated 09.10.2023 filed in C.C.NO.603 of 2023 on the file of the Additional Mahila Court (JM level), Theni and quash the same.

For Petitioners : Mr.V.Nagarajan
For R1 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)
For R2 : Mr.C.Jegannathan



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ORDER

Seeking quashment of the final report laid in C.C.No.603 of 2023 on the file of the Additional Mahila Court (Judicial Magistrate level), Theni.

2.The learned counsel for the petitioners submitted that the First Information Report in Crime No.414 of 2023 was registered on 27.08.2023 and the same has culminated in laying a charge sheet on 09.10.2023 by the respondent police for the offences under Sections 324, 294(b), 324 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2022. He further submitted that no case had been made out as against the petitioners from the materials collected by the prosecution. The petitioners herein are brother and sister, against whom, a false complaint has been lodged by the father-in-law of the second petitioner. The materials collected by the prosecution will not make out any cases against the petitioners and sought for quashing the final report. However, the learned counsel for



the petitioners fairly conceded that already P.W.1 has been examined and as many documents were also marked through him.

3. Heard the learned counsel on either side and carefully perused the materials available on record.

4. As substantial evidence has already come on record and the documents have also been marked through P.W.1, this Court cannot, at this stage, conduct a mini-trial. While exercising its jurisdiction under Section 528 of the BNSS, this Court is not empowered to undertake a roving enquiry or a mini-trial, as held by the Hon'ble Supreme Court in **Gunmala Sales Pvt. Ltd vs Anu Mehta & Ors**, reported in **2015 (1) SCC 103**. Even according to the evidence of P.W.1, no role is attributed to the second petitioner in the alleged overt act as put forth by P.W.1 before the learned Trial Court, however, 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. Accordingly, this Criminal Original Petition is



dismissed and the trial Court is directed to expedite the trial in C.C.No. 603 of 2023 as expeditiously as possible and conclude the same within a period of 6 months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed.

27.01.2026

NCC : Yes/No
Index : Yes / No
Rmk

To

- 1.The Additional Mahila Court (JM level), Theni.
- 2.The Inspector of Police,
Theni Police Station,
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J.,

Rmk

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