



CRL OP(MD). No.3048 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 28/01/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.3048 of 2024

and

CRL MP(MD). No.2433 of 2024

1. Mokkaraj
2. M.G.Kumar
3. Mahendran

... Petitioners

Vs

1. The Inspector of Police,
Virusvedu Police Station,
Dindigul District.
Crime No. 789 of 2020.

2. Vimala

... Respondents

PRAYER :-

To call for the entire records connected with the case in SC.No.190 of 2023 pending on the file of the Learned Principal Sub Judge/Assistant Sessions Judge, Dindigul and quash the same in so far as the Petitioners are concerned.

For Petitioner : Mr.S. Malaikani,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to call for the entire records connected with the case in SC.No.190 of 2023 pending on the file of the Learned Principal Sub Judge/Assistant Sessions Judge, Dindigul and quash the same in so far as the Petitioners are concerned.

2. Learned counsel for the petitioner submitted to the petitioners are accused Nos.3, 6 and 7. On the complaint lodged by the second respondent, the First Information Report in Crime No.789 of 2020 came to be registered for the offences under Sections 174 of Cr.P.C., and subsequently the same was altered into Sections 306 of IPC and the same culminated in filing final report in S.C.No.190 of 2023. However, when the matter came up for hearing, he fairly conceded that the trial has commenced.

3. Learned Government Advocate submitted that of the total 20 LWs in this case, out of them, 8 witnesses were examined as PW-1 to PW-8.



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4. On either side would indicate that PW.1 to P.W.2 were already been examined and the substantial evidence had already come on record.

5. The very submission of the learned Government Advocate would indicate that P.W.1 to P.W.8 have been examined. As the substantive evidence had already come on record and documents have also been filed by 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 others*** reported in ***(2015) 1 SCC 103***. Hence this Court is not inclined to quash the proceedings. However, the trial Court is directed to conclude the trial as expeditiously as possible in SC.No.190 of 2023 pending on the file of the Learned Principal Sub Judge/Assistant Sessions Judge, Dindigul, within a period of three months from the date of receipt of a copy of this order.



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6. With the above direction, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

28.01.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

1. The Principal Sub Judge/Assistant Sessions Judge, Dindigul.
2. The Inspector of Police, Viruveedu Police Station, Dindigul District. Crime No. 789 of 2020.
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
IN
CRL OP(MD). No.3048 of 2024
and
CRL MP(MD). No.2433 of 2024

Date : 28/01/2026