



Crl.OP(MD)No.3347 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).No.3347 of 2026
and Crl.M.P(MD).Nos.2654 and 2655 of 2024

Dhilipan

...Petitioner /Sole Accused

Vs.

1.The Inspector of Police,
Samayanallur Police Station,
Madurai District.
Crime No.178 of 2023

2.Rajendraprasath

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in pursuant to the charge sheet in C.C.NO. 649 of 2023 on the file of the learned Judicial Magistrate, Vadipatty, Madurai District, in Crime No.178 of 2023 on the file of the first respondent and quash the same.

For Petitioners : Mr.N.Senthilkumar

For R1 : Mr.B.Thanga Aravindh

Government Advocate (Crl.side)



WEB COPY



Crl.OP(MD)No.3347 of 2024

For R2 : No appearance

ORDER

Seeking to quash the charge sheet in C.C.No.649 of 2023 on the file of the learned Judicial Magistrate, Vadipatty, Madurai District, in Crime No.178 of 2023, which was registered by the first respondent for the offences under Sections 279 and 337 of IPC, this criminal original petition is filed.

2.When the matter came up for hearing, the learned Government Advocate (Crl.side), on instructions, submitted that already trial has commenced, all the witnesses were cross-examined and the case is posted today (i.e., 28.01.2026) for arguments.

3.In view of the above, 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



Crl.OP(MD)No.3347 of 2024

WEB COPY

Gunmala Sales Private Limited Vs., Anu Mehta and others reported in (2015) 1 SCC 103. Hence, this Court is not inclined to quash the proceedings.

4. Accordingly, this Criminal Original Petition is dismissed.
Consequently, connected Miscellaneous Petitions are closed.

28.01.2026

NCC : Yes / No
Index : Yes / No
Rmk

To

1. The Judicial Magistrate, Vadipatty, Madurai District.
2. The Inspector of Police,
Samayanallur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.OP(MD)No.3347 of 2024

L.VICTORIA GOWRI, J.

Rmk

CrI.O.P.(MD)No.3347 of 2024

28.01.2026