



Crl.OP(MD)No.4224 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.4224 of 2024
and Crl.M.P(MD).Nos.3350 and 3351 of 2024

K.Sekar

...Petitioner/ Sole Accused

Vs.

1.The State of Tamil Nadu,
The Inspector of Police,
All Women Police Station,
Thanjavur District.
Crime No.18 of 2021

2.Velappan

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the record in Spl.S.C.No.127 of 2023 on the file of the Special Court for the Exclusive trial of POCSO Act Cases, Thanjavur, and quash the same as devoid of merits.

For Petitioners : Mr.A.Haja Mohideen

For R1 : Mr.M.Sakthikumar

Government Advocate (Crl.side)

For R2 : Mr.T.Anthony Arulraj



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ORDER

Seeking to quash the charge sheet in Spl.S.C.No.127 of 2023 on the file of the Special Court for the Exclusive trial of POCSO Act Cases, Thanjavur, 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 and fifteen witnesses have also been examined as P.W.1 to P.W.15.

4.As the substantive evidence had already come on record and documents have also been marked by P.W.1 to P.W.15, 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 Vs., Anu Mehta and others* reported in (2015) 1 SCC 103. Hence, this Court is not inclined to quash the proceedings.



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5. 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 Special Court for the Exclusive trial of POCSO Act Cases,
Thanjavur.

2. The Inspector of Police,
All Women Police Station,
Thanjavur District.

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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