



CRL OP(MD). No.5799 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.5799 of 2025
and
CRL MP(MD)Nos.4201 & 4203 of 2025

Shalini

... Petitioner / Accused No.2

Vs

1.The State represented by
The Inspector of Police,
N.I.B. C.I.D,
Kanyakumari District.
(Crime No.2 of 2022)

... 1st Respondent / Complainant

2.Buela Thangarathinam

... 2nd Respondent / Defacto Complainant

PRAYER :-

To call for the entire records pertaining to the case in C.C.No. 307 of 2024 pending on the file of the learned I Additional District Judge for NDPS Act cases, Madurai and quash the same as against the petitioner.

For Petitioner : Mr.R.Anand

For Respondents : Mr.S.Ravi for R1
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition is filed to call for the entire records pertaining to the case in C.C.No. 307 of 2024 pending on the file of the learned I Additional District Judge for NDPS Act cases, Madurai and quash the same as against the petitioner.

2. The case of the prosecution is that on 20.06.2021, the Petitioner and two others have together loaded contraband of quantity 100 packets measuring a weight of 2010 kilograms within the limits of Arumanai police station and when the police surrounded them and about to catch them red handed, they had fled away from the spot. Following which a case in Crime No.2 of 2022 was registered by the first respondent which culminated in laying charge sheet in C.C.No.307 of 2024 for the offenses under sections 8(c) read with 20(b)(ii)(C) and 25 of NDPS Act. Learned counsel for the petitioner categorically contended that the impugned charge sheet has to be necessarily quashed and sought for indulgence of this Court.



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3. However, learned Additional Public Prosecutor submitted that the petitioners were surrounded by the respondent police when they were loading 2010 kilograms of Ganja in a vehicle and following which a criminal case was registered and the same culminated in laying final report. As far as the trial pending before the learned trial court is concerned, as many as 11 witnesses ie., P.W.1 to P.W.11 were already examined, documents marked and the case is posted further only for the examination of investigation officer.

4. Heard both sides and perused the materials available on record.

5. In view of the submissions made by the learned Additional Public Prosecutor that already the learned trial court had examined as many as 11 witnesses, considering the fact that as 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



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Supreme Court in ***Gunmala Sales Private Limited v. Anu Mehta and***

others reported in ***(2015) 1 SCC 103***. Since already P.W.1 to P.W.11 have deposed their evidence, 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 C.C.No. 307 of 2024 pending on the file of the learned I Additional District Judge for NDPS Act cases, Madurai, within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

19.02.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No

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To
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1. The I Additional District Judge for NDPS Act cases, Madurai.
2. The Inspector of Police, N.I.B. C.I.D, Kanyakumari District.
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
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Date : 19/02/2026