



CRL OP(MD). No.4129 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25/02/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.4129 of 2026

Ajithkumar

...Petitioner / Sole Accused

Vs

1.The State represented by
The Inspector of Police,
All Women Police Station,
Tiruchendur,
Thoothukudi District.
(Crime No.15 of 2021)

... 1st Respondent / Complainant

2.XXXXX

... 2nd Respondent / Defacto Complainant

PRAYER :-

To call for the records relating to quash the proceedings in Spl.S.C.No. 16 of 2023 on the file of the District and Sessions Court, Special Court for the Exclusive Trial of cases POCSO Act, Thoothukudi in Crime No. 15 of 2021.

For Petitioner : Mr.G.Radhakrishnan

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



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ORDER

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This Criminal Original Petition is filed to call for the records pertaining to the case in Spl.S.C.No.16 of 2023 on the file of the District and Sessions Court, Special Court for the Exclusive Trial of cases POCSO Act, Thoothukudi and quash the same as illegal.

2. It is the contention of the learned counsel appearing for the petitioner that there is no case made out from the materials collected by the prosecution as against the petitioner. Hence, seek to quash the final report.

3. The very submissions of the learned counsel appearing for the petitioner indicate all the witnesses have been examined. As the 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 Supreme Court in ***Gunmala Sales Private Limited v. Anu Mehta and others*** reported in ***(2015) 1 SCC 103***. Since already all the



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witnesses 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 Spl.S.C.No.16 of 2023 on the file of the District and Sessions Court, Special Court for the Exclusive Trial of cases POCSO Act, Thoothukudi, within a period of three months from the date of receipt of a copy of this order.

4. With the above direction, this Criminal Original Petition is dismissed.

25.02.2026

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

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L. VICTORIA GOWRI,J

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To

- 1.The District and Sessions Judge, Special Court for the
Exclusive Trial of cases POCSO Act, Thoothukudi.
2. The Inspector of Police, All Women Police Station,
Tiruchendur, Thoothukudi District.
- 3 .The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.4129 of 2026

Date : 25/02/2026