



CrI.O.P.(MD)No.8716 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CrI.O.P.(MD)No.8716 of 2024
& CrI.M.P.(MD)No.5978 of 2024

G.Muthiah

... Petitioner

Vs.

P.Ramesh

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the records in S.T.C.No. 442 /2023 on the file of Judicial Magistrate No.1, Fast Track Court at Magistrate Level, Madurai, and quash the same against the petitioner.

For Petitioner : Mr.R.Rajendran

ORDER

This Criminal Original Petition is filed to call for the records pertaining to the case in S.T.C.No. 442 /2023 on the file of Judicial Magistrate No.1, Fast Track Court at Magistrate Level, Madurai, and quash the same as illegal.



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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, he seeks to quash the final report.

3. However, it is also brought to the notice of this Court that the prosecution witnesses have already been concluded and the case is posted for defence side evidence.

4. It is seen that the prosecution side evidence is already done. 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 the prosecution witnesses have already been concluded and the case is posted for defence side 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 S.T.C.No. 442 of 2023 on the file of Judicial Magistrate No.1, Fast Track Court at Magistrate Level, Madurai, within a period of six months from the date of receipt of a copy of this order.



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5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions stand closed.

13.02.2026

NCC : Yes / No
Index : Yes / No
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(1/2)

TO:-

1. The Judicial Magistrate Fast Track Court, Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
CrI.O.P.(MD)No.8716 of 2024
(1/2)

Dated
13.02.2026