



Crl.O.P(MD)No.6783 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.6783 of 2024

and

Crl.M.P(MD)Nos.5185 & 5186 of 2024

1.Nagajothi
2.Sikkandar Batcha
3.Mani

... Petitioners/A1 - A3

Vs.

1.The State of Tamil Nadu,
Rep.by The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.417/2024)

... Respondent/Complainant

2.Sundhar

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in CC.No.24 of 2024 on the file of the learned District Munsif cum Judicial Magistrate Natham dated 06.02.2024 and quash the same as illegal so far as the petitioner is concerned.



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For Petitioner : Mr.SMA.Jinnah
For R1 : Mr.B.Thanga Aravindh
Government Advocate(Crl.Side)

ORDER

This criminal original petition is filed to call for the records pertaining to the case in CC.No.24 of 2024 on the file of the learned District Munsif cum Judicial Magistrate Natham dated 06.02.2024 and quash the same as illegal so far as the petitioner is concerned.

2.When the matter came up for hearing, the learned Government Advocate (Crl.side), on instructions, submitted that already trial has commenced and witnesses have also been examined as P.W.1 and P.W.2.

3.As the substantive evidence had already come on record and documents have also been marked by P.W.1 and P.W.2, 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*



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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.

06.02.2026

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

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To

1. The District Munsif cum Judicial Magistrate,
Natham.
2. The Inspector of Police,
Natham Police Station,
Dindigul 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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