



Crl.O.P(MD)No.8211 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.8211 of 2024

and

Crl.M.P(MD)No.5600 of 2024

P.Balamurugan

... Petitioner/Sole accused

**Vs.**

1.The State of Tamil Nadu,  
Rep.by The Inspector of Police,  
South Gate Police Station,  
Madurai City.  
Madurai.

... Respondent/Complainant

2.K.Murugesan

... Respondent/Defacto Complainant

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the proceedings in S.T.C.No.774 of 2024 on the file of the Judicial Magistrate Court No.IV, Madurai and quash the same as illegal.

For Petitioner : M/s.K.Abiya

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



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### **ORDER**

This criminal original petition is filed to call for the records relating to the proceedings in S.T.C.No.774 of 2024 on the file of the Judicial Magistrate Court No.IV, Madurai and quash the same as illegal.

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

3.As the substantive evidence had already come on record and document has also been marked by L.W.1, 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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4. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petition is closed.

**06.02.2026**

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

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To

1. The Judicial Magistrate Court No.IV,  
Madurai.
2. The Inspector of Police,  
South Gate Police Station,  
Madurai City.  
Madurai.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.**

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**06.02.2026**