



Crl.OP(MD)No.10135 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.02.2026

CORAM

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

Crl.O.P.(MD).No.10135 of 2024
and Crl.M.P(MD).Nos.6866 and 6867 of 2024

1.Yakappan @ Selvam

2.Balasubramaniyan ...Petitioners/ A1 & A2

Vs.

1.State rep., by
The Inspector of Police,
Jaihindpuram Police Station,
Madurai City, Madurai District.
Crime No.1136 of 2016

2.Sivagurunathan ... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case in C.C.No.154 of 2019 on the file of the learned Judicial Magistrate No.IV, Madurai, and quash the same.

For Petitioners : Mr.S.Ramasamy



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For R1 : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)
For R2 : Mr.P.Manoharan

ORDER

Seeking to quash the impugned proceedings in C.C.No.154 of 2019 on the file of the learned Judicial Magistrate No.IV, Madurai, this criminal original petition is filed.

2.When the matter came up for hearing, the learned Government Advocate (Crl.side), on instructions, submitted that already trial has commenced and five witnesses were examined.

3.As the substantive evidence had already come on record and documents have also been marked through witness, 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*



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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.

12.02.2026

NCC : Yes / No

Index : Yes / No

Rmk

To

1. The Judicial Magistrate No.IV, Madurai.

2. The Inspector of Police,
Jaihindpuram Police Station,
Madurai City, Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

Rmk

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