



CRL OP(MD). No.20053 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.02.2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

Crl.O.P(MD). No.20053 of 2024

and

Crl.M.P.(MD)Nos.12386 & 12387 of 2024

1. Nareshkumar,
2. Ravikumar,
3. Jayanthi,

... Petitioners

Vs.

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
AWPS Thanjavur,
Thanjavur District.
Crime No.3/2023.

2. P.Thiribhuvaneswari

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records relating to the proceedings in C.C.No. 56 of 2024 on the file of the Additional Mahila court, Magisterial level, Thanjavur and quash the same.

For Petitioners : Mr.Vadivel.P,

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

: Mr.N.Anandkumar for R2



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ORDER

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Seeking quashment of the final report laid in C.C.No. 56 of 2024 on the file of the Additional Mahila court, Magisterial level, Thanjavur.

2.The learned counsel for the petitioners submitted that the First Information Report in Crime No.3 of 2023 was registered on 02.02.2023 and the same has culminated in laying a charge sheet on 06.08.2023 by the respondent police for the offences under Sections 406 and 498(A) IPC. He further submitted that no case had been made out as against the petitioners from the materials collected by the prosecution. The first petitioner is the husband and the petitioners 2 and 3 herein are father-in-law and mother-in-law of the defacto complainant. The materials collected by the prosecution will not make out any cases against the petitioners and sought for quashing the final report. However, the learned counsel for the petitioners fairly conceded that already all the witnesses have been examined and as many documents were also marked through them.



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3. Heard the learned counsel on either side and carefully perused the materials available on record.

4. As substantial evidence has already come on record and the documents have also been marked through the witnesses, this Court cannot, at this stage, conduct a mini-trial. While exercising its jurisdiction under Section 528 of the BNSS, this Court is not empowered to undertake a roving enquiry or a mini-trial, as held by the Hon'ble Supreme Court in *Gunmala Sales Pvt. Ltd vs Anu Mehta & Ors*, reported in *2015 (1) SCC 103*. Even according to the evidence of witness, no role is attributed to the second petitioner in the alleged overt act as put forth by the witness before the learned Trial Court, however, 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.

5. Accordingly, this Criminal Original Petition is dismissed and the trial Court is directed to expedite the trial in C.C.No.56 of 2024 as



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expeditiously as possible and conclude the same within a period of 6 months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed.

20.02.2026

NCC : Yes/No
Index : Yes / No
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TO

1. The Additional Mahila Court,
Magisterial level,
Thanjavur.
2. The Inspector of Police,
AWPS Thanjavur,
Thanjavur 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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