



Crl.OP(MD)No.21968 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.21968 of 2024
and Crl.M.P(MD).Nos.13633 and 13634 of 2024

Thondeeswaran

...Petitioners/Sole Accused

Vs.

1.The State of Tamil nadu,
rep., by the Inspector of Police,
District Crime Branch,
Sivagangai District.
Crime No.7 of 2023

2.Deventhiran

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for records pertaining to the charge sheet in C.C.No.122 of 2024 on the file of the learned Judicial Magistrate No.II, Sivagangai and quash the same.

For Petitioner : Mr.Appaji.C.K.M

For R1 : Mr.B.Thanga Aravindh

Government Advocate (crl.side)



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ORDER

Seeking to quash the impugned charge sheet in C.C.No.122 of 2024 on the file of the learned Judicial Magistrate No.II, Sivagangai, this criminal original petition is filed.

2.When the matter came up for hearing, the learned Government Advocate (Crl.side) submitted that already trial has commenced and L.W.1 to L.W.3 were examined.

3.As the substantive evidence had already come on record and documents have also been marked through L.W.1 to L.W.3, 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 Petitions are closed.

12.02.2026

NCC : Yes / No

Index : Yes / No

Rmk

To

1. The Judicial Magistrate No.II, Sivagangai.

2. The Inspector of Police,
District Crime Branch,
Sivagangai 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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