



Crl.O.P(MD)No.3795 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.3795 of 2026

Sutha @ Kuganthini

... Petitioner/A4

Vs.

1.The State of Tamil Nadu,
Rep.by its Inspector of Police,
Q-Branch CID,
Madurai District.
(Crime No.1/2021)

... Respondent/Complainant

2.R.Palanivel

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records pertaining to the Charge Sheet in SC No.216 of 2022 pending on the file of the learned VI Additional District Sessions Court at Madurai Quash the same.

For Petitioner : Mr.G.Parthasarathy

For R1 : Mr.S.Ravi
Government Advocate (Crl. side)



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ORDER

This Criminal Original Petition is filed to call for the entire records pertaining to the Charge Sheet in SC No.216 of 2022 pending on the file of the learned VI Additional District Sessions Court at Madurai Quash the same.

2. When the matter came up for admission, the learned counsel for the petitioner submitted that the petitioner is a Sri Lankan citizen who had visited India for meeting her husband.

3. However, the learned Additional Public Prosecutor submitted that she is a woman who had entered India illegally and already trial had commenced and as many as 14 witnesses have been examined as PW1 to PW14 and documents were also filed. A substantial evidence had already come on record. At this stage, 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 v. Anu Mehta and others¹. Hence, this Court is not inclined to quash the impugned order.

4. Accordingly, this Criminal Original Petition is dismissed. However, the learned trial Court is directed to conclude the trial as expeditiously as possible within a period of six months from the date of receipt of copy of this order.

23.02.2026

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

1.The VI Additional District Sessions Court,
Madurai.

2.The Inspector of Police,
Q-Branch CID,
Madurai District.

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

¹ (2015) 1 SCC 103



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L.VICTORIA GOWRI, J.

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