



CRL OP(MD). No.21764 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 12/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.21764 of 2025

and

CRL MP(MD)Nos.18686 and 18688 of 2025

1.R.Vanitha

2.Ravi

3.R.Haribaskar

... Petitioners / Accused No.1 to 3

Vs

1.The State represented by

The Inspector of Police,

SS Colony Police Station,

Madurai City.

(Crime No.530 of 2023)

... 1st Respondent / Complainant

2.Karuppiah

... 2nd Respondent / Defacto Complainant

PRAYER :-

To call for the records pertaining to the Impugned Charge Sheet in C.C.No.288 of 2024 on the file of the Judicial Magistrate Court No.V, Madurai in Crime No.530 of 2023 on the file of the Respondent No.1 for the Offences under Sections 294(b), 452, 355, 323 and 506(ii) of IPC and quash the same as illegal.



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For Petitioners : Mr.N.Mariappan

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl Side)
for R.1

Mr.C.Balamurugapandi for R.2

ORDER

This Criminal Original Petition is filed to call for the records pertaining to the case in C.C.No.288 of 2024 on the file of the Judicial Magistrate Court No.V, Madurai and quash the same as illegal.

2. It is the contention of the learned counsel appearing for the petitioner that there is no case made out from the materials collected by the prosecution as against the petitioner. Hence, seek to quash the final report.

3. The very submissions of the learned counsel appearing for the petitioner indicate P.W.1 to P.W.3 have been examined. As the substantive evidence had already come on record and documents have also been marked through the witnesses, at this stage, this Court cannot conduct a mini trial. This Court, exercising its jurisdiction under Section



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528 BNSS, cannot conduct a roving enquiry or mini trial as held by the Hon'ble Supreme Court in ***Gunmala Sales Private Limited v. Anu Mehta and others*** reported in ***(2015) 1 SCC 103***. Since already P.W.1 to P.W.3 have deposed their evidence, 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. However, the trial Court is directed to complete the trial as expeditiously as possible in C.C.No.288 of 2024 on the file of the Judicial Magistrate Court No.V, Madurai, within a period of three months from the date of receipt of a copy of this order.

4. Considering the facts and circumstances, the personal appearance of the petitioners before the learned Trial Court is ordered to be dispensed with, on conditions that they shall appear at the time of initial questioning, proceedings under Section 313 Cr.P.C., / 351 BNSS, and at the time of passing judgment and on all the hearings, specifically directed by the learned Trial Court.

5. The petitioners shall appear before the Court in the event their presence is insisted by the learned Trial Judge for the purpose of



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identification. If the petitioners adopt any dilatory tactics, it is open to the learned Trial Court to insist for their appearance and deal with the petitioners in accordance with the law laid down by the Hon'ble Supreme Court of India, in the case of *State of UP vs. Shambunath Singh*¹.

6. With the above direction, this Criminal Original Petition is dismissed. However, learned Judicial Magistrate Court No.V, Madurai, is directed to conclude the trial within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions stand closed.

12.02.2026

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

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¹ 2001 (4) SCC 667



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To

- 1.The Judicial Magistrate Court No.V, Madurai.
- 2.The Inspector of Police, SS Colony Police Station, Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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ORDER
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