



CrI.O.P.(MD).No.17441 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P.(MD)No.17441 of 2026

and

CrI.M.P(MD) No.16824 of 2026

Sanal Kumaran Tampi

... Petitioner/
Accused No.2

Vs

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Economic Offences Wing-II,
(EOW-II),
Nagercoil, Kanyakumari District.
Crime No.4 of 2009

2. The Competent Authority
District Revenue Officer,
Kanyakumari,
Kanyakumari District.

... Respondents/
Respondents

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, directing the learned Special District Judge for TNPID Act Cases at Madurai to number the returned application dated 28.07.2026 in unnumbered CrI.M.P.S.R.No.3015 of 2026 in C.C.No.26 of 2011 on the file of the learned Special District Judge for TNPID Act Cases, at Madurai, to set aside the



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docket order dated 28.07.2026 and pass such further or other orders as this Court may deem fit.

For Petitioner : Mr.S.Ramakrishnan
For R1 : Mr.P.Samuel Gunasingh
Government Advocate (Crl.Side)
For R2 : Mr.Dinesh Hari Sudarshan
Additional Government Pleader
(Civil Side)

ORDER

The present petition has been filed by the second accused in C.C.No.26 of 2011 on the file of the learned Special District Judge for TNPID Act Cases, at Madurai, seeking to set aside the return order passed by the concerned Court in Crl.M.P.S.R.No.3015 of 2026.

2. It could be seen from the records that the petitioner has filed an application under Section 5 (A) of TNPID Act, which has been returned by the trial Court on the ground that the petitioner has to approach the competent authority. This order is put to challenge in the present petition.



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3. According to the learned counsel appearing for the petitioner, already an application has been filed before the competent authority on 22.07.2026 and he has been instructed by the said competent authority to approach the concerned Court, seeking permission of the Court to compound the offence and in such circumstances, the application has been filed. Therefore the same cannot be returned by the concerned Court.

4. The learned Government Advocate (Crl. Side) appearing for the first respondent submitted that he would like to get instructions from the first respondent whether any application is pending before the concerned authority.

5. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

6. The return order impugned in the petition is set aside and the learned Special District Judge for TNPID Act Cases, Madurai is directed to call for report from the second respondent as to whether any application has been filed by the petitioner on 22.07.2026. In case, if the entire amount has been



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settled by the petitioner, thereafter, the Court can decide the application filed under Section 5 (A) of TNPID Act, on merits and in accordance with law.

7. With the above said observation, this Criminal Original Petition is disposed of. Consequently connected Miscellaneous Petition is closed.

13.08.2026

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

Note: 1) The Registry is directed to return the original records after getting necessary acknowledgment from the learned counsel appearing for the petitioner.

2) Issue order copy on 13.08.2026



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1. The Special District Judge for TNPID Act Cases,
Madurai.
2. The Inspector of Police,
Economic Offences Wing-II,
(EOW-II),
Nagercoil, Kanyakumari District.
Crime No.4 of 2009
3. The District Revenue Officer,
Competent Authority
Kanyakumari,
Kanyakumari District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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