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CrI.O.P.No.3582 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.3582 of 2025

R.Parthipan @ Santhiyur Parthipan

.....

Petitioner

Vs

1.The Sub Divisional Executive Magistrate Cum
Revenue Divisional Officer,
Salem

2.State Rep By
The Inspector of Police,
Mallur Police Station,
Salem District.

.....

Respondents

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2025, to call for the records in Na.Ka.No.2946/2024 A2 dated 03.12.2024 passed by the Sub Divisional Executive Magistrate cum Revenue Divisional Officer, Salem, the 1st respondent herein, and quash the same as illegal.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

ORDER



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WEB COPY This Criminal Original Petition has been filed challenging the impugned notice dated 03.12.2024 in Na.Ka.No.2946/2024 A2 issued by the first respondent, thereby directing the petitioner to appear for an enquiry.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. A perusal of the impugned notice dated 03.12.2024 reveals that the petitioner was directed to appear for an enquiry on 09.12.2024 to initiate the proceedings under Section 128 of Bharatiya Nagarik Suraksha Sanhita, 2025. However, the petitioner did not appear on that day, i.e., on 09.12.2024. Therefore, the notice dated 03.12.2024 has now become infructuous.

4. In view of the above, this Criminal Original Petition stands dismissed. However, the respondent is at liberty to proceed against the petitioner under section 128 of Bharatiya Nagarik Suraksha Sanhita, 2025, in accordance with law.

12.02.2025

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Index: Yes/No
Internet: Yes/No

To

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1.The Sub Divisional Executive Magistrate Cum
Revenue Divisional Officer
Salem

2.The Inspector of Police
Mallur Police Station,
Salem District

3.The Public Prosecutor,
High Court of Madras,
Chennai.

G.K.ILANTHIRAIYAN, J.

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