



Crl.O.P.No.5533 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5533 of 2025

and

Crl.M.P.No.3570 of 2025

1. Thirumavalavan
2. Chandragasan
3. Desikan
4. Somasundaram
5. Rajarajacholan
6. Santhoshkumar

... Petitioners

Vs

1. Sub Divisional Magistrate cum Revenue,
Divisional Officer,
Udayarpalayam,
Ariyalur District.
2. Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.
3. Vananganmudirajan
4. Sitharthan
5. Tamilmaran
6. Rajarathinam
7. Anbalagan
8. Dinesh



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9. Senthilkumar

... Respondents

Criminal Original Petition is filed under Section 528 of B.N.S.S.,

to call for the records of the first respondent in M.C.A3/09/(126BNSS)/2024 dated 24.01.2025 and quash the same.

For Petitioners : Mr.R.Thiagarajan

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)
(for R1 & R2)

ORDER

This petition is filed to quash the notice in M.C.A3/09/(126BNSS)/2024 dated 24.01.2025.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the first and second respondents and perused the materials available on record.

3. The only ground raised by the petitioners is that a notice was issued by the first respondent jointly to initiate proceedings under Section



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126 of BNSS, which is not permissible under law.
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4. In view of the above, the impugned notice in M.C.A3/09/(126BNSS)/2024, dated 24.01.2025, is hereby quashed. The first respondent is at liberty to issue fresh notices separately to the petitioners and the counter parties to initiate proceedings under Section 126 of BNSS, 2023, within a period of two weeks from the date of receipt of a copy of this order.

5. In the result, this Criminal Original Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

27.02.2025

Index: Yes/No
Neutral Citation: Yes/No
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To

1. The Sub Divisional Magistrate cum Revenue,
Divisional Officer,
Udayarpalayam, Ariyalur District.

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2. The Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.

3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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