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W.P.(CrI.) No.443 of 2025 and WPMP (CrI.) No.210 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 09.10.2025**

CORAM:

**THE HON'BLE MR.JUSTICE N. SATHISH KUMAR**

**W.P.(CrI.) No.443 of 2025 and**  
**WPMP (CrI.) No.210 of 2025**

Sathish Kumar

... Petitioner

Vs.

1. The Sub Divisional Administrative Magistrate  
and Revenue Divisional Officer Court  
Ranipet District  
Ranipet

2. State Rep. by  
The Inspector of Police  
Walajapet Police Station  
Ranipet District

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned order passed by the 1<sup>st</sup> respondent vide (Case No.116/2025) in Na.Ka.A2/1094/2025 dated 27.02.2025 on the file of the respondent and quash the same with regard to the petitioner.

For Petitioner : Mr.R.Sunil Kumar  
For Respondents : Mr.K.M.D.Muhilan  
Additional Public Prosecutor



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## **ORDER**

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This Writ Petition (Criminal) has been filed to quash the impugned order passed by the 1<sup>st</sup> respondent vide (Case No.116/2025) Na.Ka.A2/1094/2025 dated 27.02.2025 under Section 130 of BNSS directing the petitioner to showcase as to why he should not be directed to execute a bond for Rs.10,000/- to keep good behaviour for a period of one year.

2. It is seen that the impugned order has been passed based on three FIRs registered against the petitioner in Crime No.43 of 2019 for the offences under Sections 341, 143, 188 IPC read with 7(1)(a) of CLA Act, Crime No.206 of 2020 for the offences under Sections 269, 270, 294(b), 353, 506(ii) IPC and Crime No.241 of 2022 for the offences under Sections 294(b), 323, 324 and 506(i) IPC.

3. The contention of the learned counsel for the petitioner is that all the three FIRs are not pending at all. The FIR in Crime No.206 of 2020, was already quashed by this Court. Similarly, the FIR in Crime No.43 of 2019 was closed by the police and the FIR in Crime No.241 of 2022 was ended in acquittal.

4. As per the counter, it is the contention of the respondents police that since the petitioner involved in similar nature of offences, the Sub



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Divisional Administrative Magistrate and Revenue Divisional Officer

initiated the proceedings under Sections 129 of BNSS as there is sufficient cause to believe that the execution of bond to maintain good conduct is warranted.

5. I perused the entire materials available on record.

6. Admittedly, the learned Additional Public Prosecutor is not disputing about the submissions of the learned counsel for the petitioner regarding the closure of FIRs..

7. To issue any summon under Section 129 of BNSS, a proper procedure has to be followed. When the Magistrate, acting under Section 129 of BNSS, deems it necessary to require any person to show cause under such Section, he should make an order in writing setting forth the substance of the information received, the amount of the bond to be executed, the term for which it is to be in force and the number, character and class of sureties, must be specifically mentioned in the said order. The order under Section 130 of BNSS, must be with proper information.

8. In the present case, the impugned order indicates as three criminal cases are pending against the petitioner. In fact, it is incorrect. All the said three cases are already over and there is no criminal case pending against the petitioner. When there is no criminal case pending against the petitioner,



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issuing summons under Section 129 of BNSS by citing some FIRs which are not pending, in view of this Court is nothing but a clear violation of law.

Therefore, the impugned order in view of this Court, cannot be sustainable.

9. Therefore, the impugned order passed by the 1<sup>st</sup> respondent vide (Case No.116/2025) Na.Ka.A2/1094/2025 dated 27.02.2025, is set aside.

10. Accordingly, this Writ Petition is allowed. Consequently, the connected Miscellaneous Petition is closed.

**09.10.2025**

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To

1. The Sub Divisional Administrative Magistrate  
and Revenue Divisional Officer Court  
Ranipet District  
Ranipet
2. Inspector of Police  
Walajapet Police Station  
Ranipet District
3. The Public Prosecutor  
High Court of Madras, Chennai



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**N. SATHISH KUMAR, J.**

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***09.10.2025***