



CRL.OP(MD) NO.6132 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

CRL. O.P(MD) No.6132 of 2025

and CRL M.P.(MD) Nos.4478 & 4479 of 2025

Manickaraja

... Petitioner

Vs.

1.The State of Tamil Nadu
rep. by the Sub-Divisional Magistrate and Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

2. The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the records pertaining to the proceedings in impugned summon in M.C.No.nil/2025 dated 24.03.2025 on the file of the first respondent and quash the same.

For petitioner : Mr.P.Suresh

For R1 : Mr.K.R.Badurus Zaman
Government Advocate (Civil)

For R2 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.Side)



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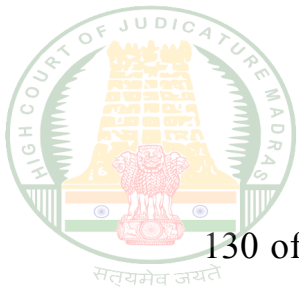
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ORDER

This petition has been filed by the petitioner to quash the proceedings in impugned summon in M.C.No.nil/2025 dated 24.03.2025 on the file of the first respondent.

2. The learned counsel for the petitioner would submit that there is a dispute pending between the petitioner and one Manikandan. The petitioner and the abovesaid Manikandan are practising Advocate. There is a dispute between them in respect of conducting club, thereby, a case in Crime No.10 of 2025 is also pending. While so, the first respondent, without mentioning the number and without signature, issued a notice under Section 130 of BNSS by demanding the petitioner to execute a bond for a sum of Rs.25,000/-. Therefore, the abovesaid proceedings is not in accordance with law. Therefore, the same is liable to be quashed.

3. The learned Government Advocate (Civil) for the first respondent would submit that based on the request made by the second respondent, they called the petitioner for executing bond under Section



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130 of BNSS. However, in the present notice, there is no signature of the first respondent and no number. Therefore, if the petitioner's appearance is required, they will issue a fresh summons in accordance with law.

4. In view of the same, recording the abovesaid submission of the learned Government Advocate (Civil) for the first respondent, this Criminal Original Petition is closed, with liberty to the respondents to issue a fresh summons, if required. Consequently, connected miscellaneous petitions are closed.

03.04.2025

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

To

1.The Sub-Divisional Magistrate
and Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

2. The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

apd

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