



WEB COPY

CRL OP No. 2375 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 2375 of 2026

G.Pasubatheeswaran

..Petitioner

Vs

The State of Tamilnadu Rep. by
The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore District.

..Respondent

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the docket order dated 13.11.2025 passed by the learned Judicial Magistrate Court No.I, Coimbatore, in Unnumbered C.M.P.No. of 2025 and issue direction to the learned Judicial Magistrate Court No.I, Coimbatore, to number the complaint filed by the petitioner and to proceed with the complaint in accordance with law.

For Petitioner : M.Jaikumar

For Respondent : Mr.S.Santhosh

Government Advocate

ORDER

The present Criminal Original Petition has been filed to set aside the docket order dated 13.11.2025, passed by the learned Judicial Magistrate No.I,



Coimbatore, in Unnumbered C.M.P.No. of 2025 and issue a direction to the learned Judicial Magistrate Court No.I, Coimbatore, to number the complaint filed by the petitioner and to proceed with the complaint in accordance with law.

2. The learned counsel appearing for the petitioner submitted that the petitioner has given a complaint against the Publisher and News Editor of a magazine for publishing defamatory material against him, before the respondent police on 17.02.2025. Since the respondent police did not register the case, the petitioner had approached the learned Judicial Magistrate No.I, Coimbatore, under Section 175(3) of BNSS, 2023, seeking a direction to the respondent police to register a case. However, the learned Judicial Magistrate No.I, Coimbatore, without numbering the petition, had returned the petition with a docket order. The learned Judicial Magistrate No.I, ought to have numbered the petition and passed a judicial order so as to enable the petitioner to prefer an appeal against the order. Whereas, the learned Judicial Magistrate No.I, had straightaway, without numbering the petition, rejected the same and hence, the present Criminal Original Petition has been filed.

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



4. This Court, without going into the merits of the case of the petitioner and the averments made in this petition, directs the learned Judicial Magistrate No.I, Coimbatore, to number the petition and pass appropriate judicial order in the manner known to law. It is made clear that this Court has not made any observation with regard to the merits of the case.

5. With the above direction and observation, this Criminal Original Petition, stands disposed of. Registry is directed to return the original returned docket and other relevant papers to the petitioner, forthwith.

04-02-2026

SRM

Neutral Citation: Yes/No

To

1.The Judicial Magistrate Court No.I,
Coimbatore.

2.The Inspector of Police,
Kavundampalayam Police Station,
Coimbatore District.

3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

SRM

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