



Crl. O.P.(MD) No.4621 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P.(MD) No.4621 of 2026

and

Crl.M.P.(MD).No.4909 of 2026

D.Praveen

S/o.Deivendran

... Petitioner

Vs

1. The Second Class Executive Magistrate and Tahsildar,
Paramakudi,
Ramanathapuram District.

2. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 to call for the entire records of the proceedings initiated by 1st respondent in M.C.No.101 of 2026 dated 11.02.2026 and quash the said proceedings as against the petitioner and pass such any or other orders.

For petitioner : Mr.R.L.Dhilipan Pandian

For Respondents : Mr.Albert James
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed seeking to quash the summons issued to the petitioner by the first respondent on 11.02.2026 under Section 129 of the BNSS, calling upon the petitioner to appear for enquiry.

2. According to the learned Counsel for the petitioner, the ingredients of Section 130 of the BNSS have not been made out, inasmuch as the notice does not contain the substance of the information received, the amount of bond to be executed, the term for which it is to remain in force, or the number of sureties required.

3. The learned Government Advocate appearing for the respondents would submit that it is only a summons issued to the petitioner to appear for an enquiry. As and when they propose to pass an order under Section 130 of the BNSS, a separate show cause notice will be issued incorporating the aforesaid ingredients.



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4. In view of the above facts, this Court is of the considered opinion that the impugned notice is only a summons issued under Section 129 of the BNSS, calling upon the petitioner to appear for an enquiry. Therefore, the ingredients contemplated under Section 130 of the BNSS need not be satisfied at this stage. As and when the first respondent intends to pass an order under Section 130 of the BNSS, it is for him to issue a separate show cause notice incorporating all the ingredients as contemplated under Section 130 of the BNSS.

5. With the above said clarifications, this Criminal Original Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes / No
gvn

02.03.2026



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R.VIJAYAKUMAR, J.

gvn

To

1. The Second Class Executive Magistrate and Tahsildar,
Paramakudi,
Ramanathapuram District.
2. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

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