



Crl. O.P.(MD) No.4680 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.4680 of 2026
and
Crl.M.P.(MD).Nos.4980 & 4981 of 2026**

Pandi @ Pulsar Pandi
S/o.Sangu

... Petitioner

Vs

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

2. The Inspector of Police,
Parthipanur Police Station,
Ramanathapuram District.
(LIR.No.38 of 2026)

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023, to call for the records pertaining to the
129 BNSS proceedings in M.C.No.129 of 2026 dated 12.02.2026 initiated by the
1st respondent and quash the same as illegal and pass such further order or other
orders.

For petitioner : Mr.K.Rajiv Gandhi

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 12.02.2026 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 petitions are closed.

Index : Yes / No
Internet : Yes / No
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02.03.2026



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R.VIJAYAKUMAR, J.

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To

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

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