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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.4784 of 2026

and

Crl.M.P(MD)No.5138 of 2026

Marimuthu

...Petitioner

Vs

1.The Sub-Divisional Magistrate Cum
Revenue Divisional Officer, Ramanathapuram,
Ramanathapuram District.

2. State of Tamilnadu,
Rep by Inspector of Police,
Thiruuthirakosamangai Police Station,
Ramanathapuram District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining to the impugned summon in M.C.No.96/2026 passed by the 1st respondent dated 23.02.2026 and quash the same as illegal.

For Petitioner : M/s.D.Balamurugapandi

For Respondents : Mr.A.Albert James
Government Advocate(crl.side)



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ORDER

The present petition has been filed seeking to quash the summons issued by the first respondent on 23.02.2026 under Section 126 of BNSS Act r/w Section 141.

2. According to the learned Counsel appearing for the petitioner, the ingredients of Section 130 have not been fulfilled and therefore, summon has to be quashed. However, according to the learned Counsel appearing for the respondents, it is only a summon issued to the petitioner calling upon his explanation. In case if the first respondent intends to proceed to pass orders under Section 130, in such an occasion, appropriate notices would be issued to him and orders would be passed fulfilling the conditions as contemplated under Section 130 of BNSS.

3. Recording the same, this Criminal Original Petition stands closed. Consequently, connected miscellaneous petition is also closed.

04.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

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