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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5495 of 2026

R.Dhavapriya

...Petitioner

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
B-4 Kottampatti, Police Station,
Madurai District.
Crime No.11/2025.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to set aside the reasons assigned in returning the impugned unnumbered Crl MP No..... of 2026 dated 28.01.2026 by the learned Judicial Magistrate, Melur, and consequently direct the learned Judicial Magistrate, Melur, to number the said petition and dispose of the same in accordance with law.

For Petitioner : M/s.M.Iniyavan

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

The present petition has been filed seeking to set aside the return order passed by the learned Judicial Magistrate, Melur, wherein the application filed by the petitioner under Section 106(3) of BNS has been returned.

2. The petitioner's Bank account has been frozen by the respondent police in view of the registration of the FIR in crime No.11 of 2025, wherein an FIR has been registered as against the brother-in-law of the petitioner.

3. The petitioner has approached this Court in CrI.O.P(MD)No.6180 of 2025, seeking a direction as against the respondent police to de-freeze the Bank account. This Court by an order dated 06.11.2025 has passed an order directing the petitioner to approach the trial Court for de-freezing the account.

4. The F.I.R. has been registered under the NDPS Act, the concerned trial Court is NDPS Court, Madurai. However, the petitioner has approached the learned Judicial Magistrate, Melur, by filing an application under Section 106(3) of BNS and therefore, the order of return passed by the concerned Judicial Magistrate cannot be found fault with.



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5. In view of the above said facts, the petitioner is directed to approach the trial Court, namely, NDPS Court, Madurai, to ventilate his grievances.

6. With the above observations, this Criminal Original Petition stands disposed of.

17.03.2026

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

To

1. The learned Judicial Magistrate,
Melur.

2. The Inspector of Police,
B-4 Kottampatti, Police Station,
Madurai District.

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



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R.VIJAYAKUMAR, J.

RJR

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