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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.7061 of 2026

and

Crl.M.P(MD)No.7634 of 2026

Ayyappan

...Petitioner

Vs

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

2. State of Tamilnadu,
Rep by Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records relating to the impugned summon in M.C.No.26/2026 dated 17.02.2026 issued by the 1st respondent and quash the same as illegal.

For Petitioner : M/s.K.Yasar Arafath

For Respondents : M/s.P.Samuel Gunasingh
Counsel for State of TN(Crl.side)

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ORDER

The present petition has been filed seeking to quash the summons issued under Section 129 of BNSS.

2. According to the learned Counsel appearing for the petitioner, the petitioner has been convicted in a single case and therefore, it does not satisfy the ingredients of Section 2(4) of the Tamil Nadu Restriction of Habitual Offenders Act, 1948.

3. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

04.06.2026

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



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To

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

2. The Inspector of Police,
S.P.Pattinam Police Station,
Ramanathapuram District.

Copy to:-

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



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R.VIJAYAKUMAR, J.

RJR

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