



Crl.R.C.(MD)No.1033 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1033 of 2026

and

Crl.M.P(MD)No.12373 of 2026

Arun @ Arunkumar

... Petitioner

Vs.

1.The Executive Magistrate cum Tahsildar,
Karambakudi Taluk,
Karambakudi,
Pudhukottai District.

2.The State of Tamil Nadu rep. by
The Inspector of Police,
Karambakudi Police Station,
Pudhukottai District.
(Crime No.320 of 2025)

... Respondents

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records pertaining to the order passed in एम.प्र.गण.5831/2025/अ6 dated 29.12.2025 passed by the 1st respondent and set aside the same.

For Petitioner : Mr.G.Mathavan

For Respondents : Mr.C.Susikumar
Government Advocate (Crl. Side)



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ORDER

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Challenging the impugned order in एम.एम.नं.5831/2025/अ6 dated 29.12.2025 passed by the 1st respondent, this criminal revision case is filed.

2. The learned counsel for the petitioner submitted that the impugned order should necessarily be set aside for not following the mandates of the judgement rendered by this Court in the case of ***Vinoth Vs. The Sub Divisional Magistrate cum The Revenue Divisional Officer, Kulithalai, Karur District¹***, and the same is well covered by the proposition of the aforesaid case and sought the indulgence of this Court.

3. The learned Government Advocate (Crl.side) fairly submitted that a careful perusal of the impugned order would reveal that the legal principles enumerated in the aforementioned case has not been properly followed by the 1st respondent. He also pointed out that this Court has relied upon the decision of this Court in another case in ***P.Sathish @ Sathish Kumar Vs. State rep. by the Inspector of Police and another²*** .

¹Crl.R.C(MD)No.712 of 2022, dated 31.10.2022

² 2019 (2) MWN (Crim) 136



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He also pointed out that it is mandated in the aforesaid verdict that the Executive Magistrate should issue notice to the person concern under Section 122(1) (b) of Cr.P.C. The impugned order do not reflect the issuance of notice to the petitioner before requiring bond for the breach of public peace.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. A careful perusal of the materials placed before me would also make it clear that neither notice was issued to the petitioner, nor proper materials, including statement of witness, have also been served on the petitioner. Hence, the impugned order, dated 29.12.2025 is hereby set aside.

6. It is submitted before this Court that the petitioner is detained in custody in Central Prison, Tiruchirapalli. The Superintendent of Prison, Central Prison, Tiruchirapalli is directed to release the petitioner forthwith.



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7. Accordingly, this Criminal Revision Case is allowed.

Consequently, connected Miscellaneous Petition is closed.

30.06.2026

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

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Note : Issue order copy on 01.07.2026.

To

1.The Executive Magistrate cum Tahsildar,
Karambakudi Taluk,
Karambakudi,
Pudhukottai District.

2.The Inspector of Police,
Karambakudi Police Station,
Pudhukottai District.

3.The Superintendent of Prison,
Central Prison, Tiruchirapalli.

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

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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.1033 of 2026

Dated: 30.06.2026