



CrI.OP(MD).No.10075 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **04.06.2026**

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.10075 of 2026

and

CrI.M.P.(MD).No.10126 of 2026

Selvakumar

...Petitioner

Vs

1. The Sub Divisional Magistrate/revenue Divisional Officer,
Tirunelveli District.

2. State Of Tamilnadu Rep By
Inspector Of Police
Manur Police Station
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to issue to call for the records pertaining the Impugned order issued by the 1st respondent dt. 17.04.2026 in A5/937-Q/2026 MC-72/2026 and Quash the same as illegal and pass such further order or orders.

For Petitioner : M/s.R.Venkatesan

For Respondents : Mr.J.Vishnu
Counsel for State of TN (crl.side)



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ORDER

The present petition has been filed seeking to quash the notice issued by the first respondent under Section 126 of BNSS.

2. A perusal of the impugned notice reveals that it is dated 17.04.2026, directing the petitioner to appear on 18.04.2026. According to the petitioner, it was received by him only on 18.04.2026.

3. The learned Counsel appearing for the petitioner submits that the ingredients of Section 126 of the BNSS have not been fulfilled. He also relies upon the decision of this Court in *Meshak vs. The Second Class Executive Magistrate / Revenue Tahsildar, Sankarankovil Taluk Office, Tenkasi District and another* in Crl.O.P.(MD) No.1442 of 2025, dated 21.01.2026.

4. Since the notice was received belatedly by the petitioner, the impugned notice dated 17.04.2026 is set aside, and the first respondent is at liberty to issue a fresh notice in strict compliance with the procedure contemplated under Section 126 of the BNSS.



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5. With the above observations, this Criminal Original Petition is allowed.

Consequently, connected miscellaneous petition is closed.

04.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

gvn

To:-

1. The Sub Divisional Magistrate/revenue Divisional Officer,
Tirunelveli District.
2. The Inspector Of Police,
Manur Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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