



Crl.OP(MD).No.10161 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.06.2026**

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.10161 of 2026

and

Crl.M.P.(MD).Nos.10180 & 10181 of 2026

1. M.THANGAPANDI

2. T.VIJAYAKUMARI

...Petitioners

Vs

R.Pandiselvi

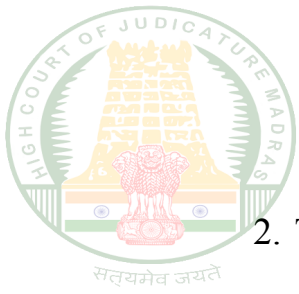
...Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records pertaining to Private Complaint filed by the respondent U/s. 223 of BNSS, 2023 in Crl.M.P.No.1571/2025 on the file of the Learned Judicial Magistrate No. II, Dindigul District and quash the same as illegal.

For Petitioners : M/s.R.Sangeetha

ORDER

The present petition has been filed by the respondents in Crl.M.P.No.1571 of 2025, on the file of the Judicial Magistrate No.II, Dindigul District, seeking to quash the private complaint filed by the respondent herein.



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2. The learned Counsel appearing for the petitioners submitted that, the complaint does not disclose any cause of action for initiating proceedings under Section 223 of BNSS. She further submits that the ingredients of Sections 418 and 420 r/w Section 506 of IPC have not been satisfied. She also contends that Sections 3 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 are not attracted, and that the present petition has been filed with a dishonest intention.

3. It is brought to the notice of this Court that the petitioners have received only a private notice from the complainant before the trial Court. Therefore, it is made clear that the petitioners are only required to place their objections with respect to the taking of cognizance of the case. The notice issued is only a pre-cognizance notice as contemplated under the proviso to Section 223(1) of BNSS. At this stage, the petitioners cannot be treated as an accused, as cognizance has not yet been taken.

4. In such circumstances, the petitioners have every right to raise all objections regarding the maintainability of the private complaint and the non-satisfaction of the ingredients of the offences alleged therein before the trial Court.



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5. In view of the above facts, this Court does not find any reason to interfere with the proceedings or to quash the private complaint. Preserving the right of the petitioners to raise all objections, the petition stands disposed of with the above clarification. Consequently, connected miscellaneous petitions are closed.

05.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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To:-

1. The Judicial Magistrate No. II,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

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