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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.05.2026

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9910 of 2026

and

Crl.M.P(MD)No.9978 of 2026

Bavithkumar

... Petitioner

Vs.

State of Tamil Nadu,
Rep. by, The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai.

.. Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to call for the records and set aside the order dated 27.04.2026 passed in Cr.M.P.No.2538 of 2026 in S.C.No.363 of 2022 on the file of the Additional Chief Judicial Magistrate Court, Madurai.

For Petitioner : Mr.A.Arputharaj

For Respondent : Mr.D.Venkatesh
Counsel for the State of Tamilnadu (Crl. Side)



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., challenging the order dated 27.04.2026 passed in Cr.M.P.No.2538 of 2026 in S.C.No.363 of 2022 on the file of the Additional Chief Judicial Magistrate Court, Madurai, wherein the learned Additional Chief Judicial Magistrate, Madurai, allowed the petition filed under Section 311 Cr.P.C. with certain conditions.

2. The learned Additional Chief Judicial Magistrate, Madurai, while allowing the petition, directed the petitioner to deposit a sum of Rs.10,000/- (Rupees Ten thousand only) before the Mediation Centre at Madurai and to pay batta of Rs.2,500/- for each of the witnesses.

3. According to the petitioner, the condition No.6 of the impugned order states that in case, any default in complying the other conditions, the petition shall be automatically dismissed. Hence, the petitioner is constrained to file the present petition seeking to set aside the said order.



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4. Learned counsel for the petitioner submitted that the petitioner is ready to comply with the above conditions and he also undertakes to cross-examine the witnesses on the same day.

5. Considering the above said submission, the condition No.6 of the order dated 27.04.2026 passed in Cr.M.P.No.2538 of 2026 in S.C.No. 363 of 2022 on the file of the Additional Chief Judicial Magistrate Court, Madurai, is set aside and the petitioner is directed to comply with the condition Nos. 1 to 5 imposed by the learned Additional Chief Judicial Magistrate, Madurai, within a period of one week from the date of receipt of a copy of this order. On such compliance, the learned Additional Chief Judicial Magistrate Court, Madurai, is directed to proceed with the matter in accordance with law.

6. With the above directions, this Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

27.05.2026

NCC : Yes / No
Index : Yes / No



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K.MURALI SHANKAR,J.

PJL

To

1. The Inspector of Police,
Nagamalaipudukottai Police Station,
Madurai.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.9910 of 2026

Dated: 27.05.2026