



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8054 of 2026

and

CrL.MP.No.5704 of 2026

1. S.Yuvaraj
S/o. Saravanan,
11-21, Dasaratha Rama Street,
Newpet, Krishnagiri - 635 001.
2. G.Murugesan
S/o. Govindasamy,
1/253, Murugan Nagar,
Boganapalli, Peddathanapalli,
Krishnagiri - 635 001.
3. K.Sampathraja
S/o. Krishnan,
18, Munusami Street,
Palayapettai, Krishnagiri - 635 001.
4. G.Muralidharan
S/o. Gopi,
100/208, Lakshmana Rao Street,
Newpet, Krishnagiri - 635 001.
5. C.Murugan
S/o. Chandrasekaran,
2/276A, Pappannan Kottai,
Anchor Post, Anchoor,
Krishnagiri - 635 001.
6. M.Prakash
S/o. Murugan,
49/5, Mel Anchaneyar Kovil Street,
Newpet, Krishnagiri - 635 001.



7. S. Santhosh Kumar
S. Sankar,
1/180, Mullai Nagar,
3rd Cross, Karveypuram,
Agraharam Post, Krishnagiri - 635 001.

8. R. Balaji
S/o. Raja,
4/228, Vengiliyangal Ketu,
Pedanapalli, Peddathanapalli,
Krishnagiri - 635 001.

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
Cr.No.331 of 2024.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS to call for the records in FIR in Cr.No.331 of 2024 on the file of the Krishnagiri Town Police Station, Krishnagiri District same FIR quash and pass such further or other orders.

For Petitioner(s): Mr.P.Venkatesan

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

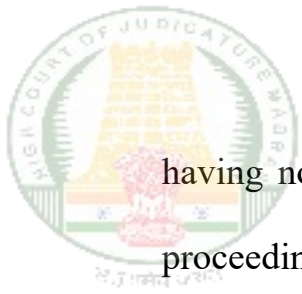
ORDER

This Criminal Original Petition is filed to call for the records in FIR in Cr.No.331 of 2024 on the file of the Krishnagiri Town Police Station, Krishnagiri District and quash the same.



2.The case of the prosecution is that members of an organisation assembled near the Krishnagiri New Bus Stand on 21.07.2024 at about 11.30 a.m. and raised slogans criticising the actions of the Hindu Religious and Charitable Endowments Department of the Government of Tamil Nadu. Prior permission for the protest had been refused by the police on 20.07.2024 and despite such refusal, the petitioners conducted the protest and raised slogans while holding organisational flags. After hearing these, the police reached the spot and arrested the petitioners at about 11.45 a.m. Thereafter, a case has been registered against the petitioners in crime No.331 of 2025 on 21.07.2024 for offences under Sections 189(2), 126(2) and 293 of the Bharatiya Nyaya Sanhita, 2023.

3.The learned counsel for the petitioners submitted that the petitioners assembled near the New Bus Stand raised slogans and held organisational flags despite refusal of prior permission. Hence, FIR registered by the respondent police, which is arbitrary, mechanical and an abuse of process of law and it does not disclose any act of violence, damage to property, injury to any person or use of criminal force. There is no specific allegation of obstruction to any identified individual, nor is there any complaint from the public. Thus no prima facie case is made out against the petitioners for the aforesaid offences and it is not disclosed the commission of any cognizable offences under Sections 189(2), 126(2) and 293 of BNS, 2023. Since, there is no offence made out in the FIR,



having no other option except to file this quash petition. Hence the criminal proceedings initiated against the petitioners in crime No.331 of 2024 pending on the file of the respondent police is liable to be quashed.

4.The learned Additional Public Prosecutor submits that in this case, on 21.07.2024 at about 11.30 a.m. the members of an organisation unlawfully assembled near the Krishnagiri New Bus Stand and raised slogans criticising the actions of the Hindu Religious and Charitable Endowments Department of the Government of Tamil Nadu. Prior permission for the protest had been refused by the police on 20.07.2024 and despite such refusal, the petitioners conducted the protest and raised slogans while holding organisational flags and caused nuisance and disturbance to the public.

5.Considering the rival submissions and on perusal of the materials, it is admitted fact that the petitioners raised protest which is their fundamental right, no public lodged complaint and no public got affected, due to the protest conducted by the petitioners. Hence, this Court finds that the petitioners have only raised slogans and shown protest against the Hindu Religious and Charitable Endowments Department of the Government of Tamil Nadu. Raising slogans against the Government itself would not amount to commission of offence, by dissenting and showing Protest is the Hallmark of Democracy, which is a fundamental right under Constitution of India.



6.The petitioners raised slogans against the Government. Admittedly in this case, the occurrence took place in a public place, in public view, surprisingly no public or independent witness examined by the prosecution, which causes serious doubt on the veracity of the complaint. Further, in consequence to the protest, the prosecution failed to show whether any trouble occurred. The respondent Police failed to follow the guidelines issued by this Court in “*Jeevanandham and others Vs. State Rep. by Inspector of Police and another*” reported in (2018) 2 LW CrL. 606”. In several cases, this Court quashed the proceedings against the accused/protesters on similar ground.

7.In the result, the case in crime No.331 of 2024 pending on the file of the respondent police is hereby quashed against the petitioners. Accordingly, this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

06-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
sms



To
WEB COPY

1.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri District.
Cr.No.331 of 2024.

2.The Public Prosecutor
High Court, Madras.



WEB COPY

CRL OP No. 8054 of 2



M.NIRMAL KUMAR, J.

sms

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