

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9347 of 2026

and

Crl.MP.Nos.6604 & 6606 of 2026

1. Suresh
S/o.Sundarrajan
No.13/45 Sathya Nagar, Konnaiyur Post
Elachipalayam Namakkal District - 637 202.
2. Shanmugam @ Mukilan
S/o.Rangasamigonder
No.89 Chennimalai, Ingur Road,
Tiruppur District 638 051
3. Ganesh
S/o.Muthugounder
4/103 Konakkadu,
Kokkalai Namakkal District - 637 410
4. Jeyaraman
S/o.Komaravel
No.6/22 Earikkadu Ko,
Elayampalayam, Kokkalai Tiruchengodu
Namakkal District - 637 410.
5. Suresh
S/o.Ganapathy
6/94A Mettukkadu
Kottapalayam, Periyamanali
Tiruchengodu, Namakkal District - 637 410
6. Natesan @ Ponrasu
s/o.Sabapathy
No.1/103 thanneerpandal
Kunjampalayam
Periyamanali Namakkal District - 637 410



7. Vignesh
S/o.Mohan
No.1/15 Elayampalayam
Kokkalai Namakkal District - 637 410
8. Balaji
S/o.Sellamuthu
No.4/127 Konakkandu
Kurukkapuram, Kokkalai Namakkal 637 410
9. Palanivel
S/o.Kandasamy
NO.5/6 Ellaiyampalaiyam
Kokkalai Namakkal District - 637 410
- 10.Sathya
D/o.Ravichanthiran
No.5/28B Kudi Street
Nera Water Tank Elayampalayam Kokkalai
Namakkal District - 637 410
- 11.Chinnammal
W/o.Muthu
No.4/103 Konakkadu
Kokkalai, Namakkal District - 637 410
- 12.Dhanabakkiyam
W/o.Ramachandran
No.4/118 Konakadu
Kurukkapuram, Kokkalai
Namakkal District - 637 410
- 13.Vijayalakshmi
W/o.Murugesan
No.5/2 Elayampalayam
Kokkalai, Namakkal District - 637 410
- 14.Saraswathi
W/o.Palanivel
No.5/6 Ellaiyampallaiyam
Kokkalai, Namakkal District 637 410



15.Sathya
W/o.Devarajan
No.5/12 Kalikadu
Elayampalayam
Kokkalai, Namakkal District - 637 410

16.Dhavamani
W/o.Kulathavel
No.4/114 Konakdu
Kurukkapuram, Kokkalai
Namakkal District - 637 410

17.Kanthasami
S/o.Ramasamy
No.4/120 Konakadu
Kurukkapuram, Kokkalai
Namakkal District - 637 410

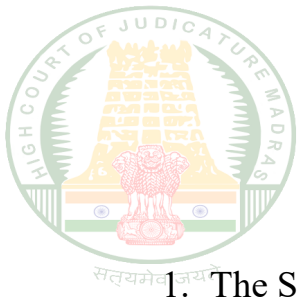
18.Ramesh
S/o.Palanivel
No.5/6 Ellaiyampallaiyam
Kokkalai, Namakkal District - 637 410

19.Murugesan
S/o.Kandhasami
No.5/2 Elayampalam
Kokkalai, Namakkal District - 637 410

20.Subramaniam
S/o.Kandasami
No.4/115 Konakadu
Kokkalai, Namakkal District - 637 410

21.Ramasamy
S/o.Azhgapa
No.5/1 ellaiyampallaiyam
Kokkalai, Namakkal District 637 410

..Petitioner(s)



Vs

1. The State Rep By Its,
The Inspector of Police,
Elachipalayam Police Station,
Cr.No.44 of 2024.

2. Akbar Bhadusa
S/o.Sek Abdullah
1/250 Kumaravelpalayam
Periyamanali, Tiruchengode
Namakkal District.

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 BNSS to call for records in C.C.No.54 of 2026 on the file of the Learned Judicial Magistrate Court at Tiruchengode and to quash the same.

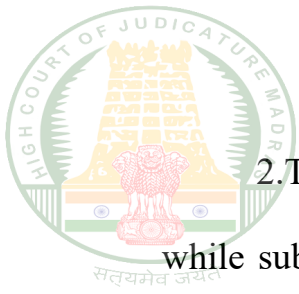
For Petitioner(s): Mr.R.Thirumoorthy

For Respondent(s): Mr.A. AMARNATH
Govt. Advocate (CRL. SIDE) FOR R1

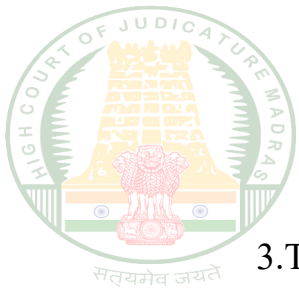
COURT NOTICE SERVED FOR R2
R-2 AKBAR BHADUSA - NO APPEARANCE

ORDER

This criminal original petition has been filed to call for records in C.C.No.54 of 2026 on the file of the Learned Judicial Magistrate Court at Tiruchengode and to quash the same.



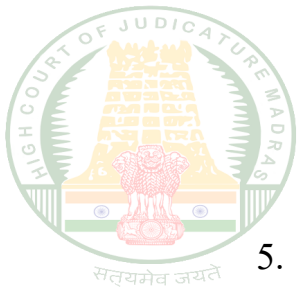
2. The case of the prosecution is that on 07.03.2025 at about 11.00 a.m., while sub Inspector of Police, was on duty at Elachipalayam Police Station, he received an intimation from Tiruchengode Government Hospital regarding an assault injury to Sheikh Akbar Basha S/o. Sheikh Abdullah and thereafter, he went to the hospital and obtained statement from the victim that, on 06.03.2024, during night patrol duty along with Sub-Inspector namely Pon Kumar, they received information that a group of people gathered at Kothampalayam Kanangady area. After the said information, they went to the spot at around 11.30 pm, where they found several persons unlawfully assembled, blocking the public road, raising slogans, and causing disturbance to pedestrians and public transport. When the defacto complainant questioned, they stated that they were protesting against the reopening of a previously closed stone quarry (Raja Quarry) in Kokkala village, fearing it would affect their livelihood. Moreover, when the Deputy Superintendent of Police, Tiruchengode advising the protestors to disburse from the spot, they pulled the Deputy Superintendent of Police and Inspector of Police and when the defacto complainant went there to stop, A1 to A4 assaulted him and issued life threat. Based on the complaint given by the defacto complainant, FIR was registered in crime No.44 of 2024 against the accused for offences under Section 147, 283, 341, 290, 353, 332, 506(i) of IPC. After completion of investigation, the 1st respondent filed a charge sheet listing 6 witnesses before the Judicial Magistrate Court, at Tiruchengode, which was taken cognizance in C.C.No.54 of 2026.



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3. The learned counsel appearing for the petitioners submitted that from the facts of the instant case it is clear, no public lodged any complaint of any disturbance. The admitted position is that all the listed witnesses are government officials (except for mahazer witnesses). Showing protest is a fundamental right, further it is alleged, petitioners were standing in the sides of the road and showing their protest in a democratic way, which is permitted. There is no order produced to show whether there was any restriction. The points raised by the petitioners are similar to the facts of the cases in ***Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed for non compliance of procedures. Hence, he prayed to quash the proceedings pending against the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent Police confirmed, there is no complaint from any public and no materials available to show, on the day of protest there was any proclamation imposing restrictions of assembly.



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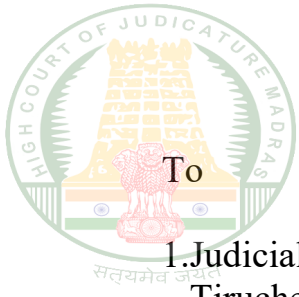
5. Heard the learned counsel appearing on either side and perused the materials available on record. It is seen, no public lodged any complaint of any disturbance, further there is nothing to show whether any prohibitory order was in force, and proclamation issued following the procedures. Showing protest is a democratic right, guaranteed under Constitution.

6. In view of the above, this Court is of the opinion that the above facts and decisions would apply in all fours to the present case and that no useful purpose will be served by keeping the proceedings pending and is liable to be quashed.

7. Accordingly, the Criminal Original Petition stands allowed and the proceedings in C.C.No.54 of 2026 pending on the file of Judicial Magistrate Court, at Tiruchengode, is hereby quashed in entirety. Consequently, connected miscellaneous petitions are closed.

11-06-2026

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



To

1. Judicial Magistrate Court,
Tiruchengode.

2. The Inspector of Police,
Elachipalayam Police Station,
Cr.No.44 of 2024.

3. The Public Prosecutor
High Court, Madras.

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CRL OP No. 9347 of 2



M.NIRMAL KUMAR, J.

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CRL OP No. 9347 of 2026

11-06-2026