

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17798 of 2023

and

CrL.MP.No.11694 of 2023

1. S.Gopi @ Kalaigopi
S/o. P. Shanmugam,
23/60, Krishnappa Layout,
Krishnagiri 635001.
2. Rajini @ Yuvaraj
S/o. Saravanan,
11/21, Dasaratharam Street,
Krishnagiri 635001.
3. A. Venugopal
S/o. Arumugam,
15/8, Chinnannan Street,
Old Pet, Krishnagiri - 635001.
4. S. Srinivasan
S/o. Selvam,
70/153, Sub Jail Road,
Krishnagiri - 635001.

..Petitioner(s)

Vs

1. State Rep By
The Inspector Of Police,
Krishnagiri Town Police Station,
Krishnagiri District. Crime No. 336/2023.
2. Ramamoorthy
Inspector, H.R. and C.E. Dept.,
Krishnagiri.

..Respondent(s)



PRAYER: This criminal original petition filed under Section 438 of CR.P.C.to call for the records pertaining to the FIR in Crime No.336/2023 on the file of the Inspector of Police, Krishnagiri Town Police Station, Krishnagiri District and Quash the Same.

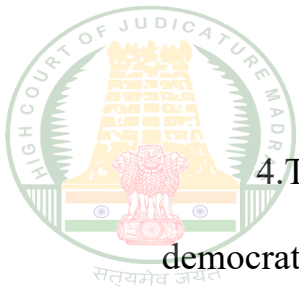
For Petitioner(s): Mr. A. Jagadeeswari
For Respondent(s): Mr.M.Mohamed Riyaz
Government Advocate (Crl.Side)
For R1

ORDER

The prayer in the criminal original petition is to quash the FIR in crime No.336 of 2023 on the file of the respondent police.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the first respondent.

3.I have gone through the material records of the case and the gravamen of the allegations contained in the FIR is that when the HR and CE officials started counting the Undiyal amount, they were wrongfully restrained by the petitioners/ accused claiming to be forming part of a particular organization and not stopping there. They also posted messages in public media, thereby, portraying the HR and CE department and its officials in poor light.

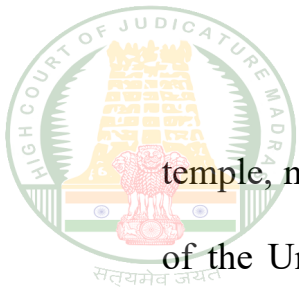


4. The learned counsel for the petitioners would submit that in a democratic way, being an organization interested in the better administration of the temple, they only protested counting of the Undiyal amount without following the procedure of transparency, when the counting was attempted to be done in a closed door manner.

5. Per Contra, the learned Govt. Advocate (Crl.side) for the first respondent would submit that when the public servants are on duty, using a force would amount to an offence under Section 353 of the Indian Penal Code and they have also threatened the officials in the social media and as such, the case is registered under sections 353 and 505(1)(c) of IPC.

6. I have considered the said submissions and gone through the records. It can be seen that the allegation is not against one or two persons, but a group of persons claiming themselves to be an organization. It can be seen that it is in the nature of a democratic protest and not with an intention of any criminal force, even considering the averments made in the complaint.

7. In view thereof, I am of the view that the offences under Sections 353 or 505(1)(c) of the IPC are not made out, even when taking the allegations made against the petitioners into account. When the petitioners being members of an organization that claims to be interested in the better administration of the



temple, make an agitation in the form of dharna and interfere with the counting of the Undiyal amount, though that may amount to interference, it cannot be said to be the use of criminal force. At best, it is only a protest. Considering now that three years have also gone by, the said scenario no more exists.

8. Under the said circumstances, it would be oppressive to permit any further investigation in this matter. Henceforth also, for all the aforesaid reasons, I am of the view that this criminal original petition No.17798 of 2023 deserves to be allowed and the case in crime No.336 of 2023 shall stand quashed.

9. Accordingly, the criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

02-07-2026

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

To

1. The Inspector Of Police,
Krishnagiri Town Police Station,
Krishnagiri District. Crime No. 336/2023.
2. The Public Prosecutor
High Court, Madras.



WEB COPY

CRL OP No. 17798 of 2



D.BHARATHA CHAKRAVARTHY, J.

sms

CRL OP No. 17798 of 2023
and
CrI.MP.No.11694 of 2023

02-07-2026