



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 19375 of 2026
and CRL.MP.Nos.12851 and 12852 of 2026**

1. Selvaraj
2. Murugan
S/o. Shanmugam
3. Murugan
S/o. Muthaiyan
4. Kanagaraj
5. Chandru
6. Sivakumar

..Petitioner(s)

Vs

1. The State Rep By,
The Inspector of Police
Omalur Police Station,
Salem District.
Crime No. 643 of 2023
2. Subash Chandrabose
Village Administrative Officer,
Kottamettupatty Village,
Omalur Taluk,
Salem District.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records pertaining to CC No.3 of 2024 pending



on the file of the learned Judicial Magistrate, Omalur, Salem District, arising out of Crime No.643 of 2023 on the file of Omalur Police Station, Salem District and quash the criminal proceedings as against the Petitioners/Accused Nos.1 to 6 and consequently pass such further or other orders as this Honorable Court.

For Petitioner(s): Mr.P.Venkatesan

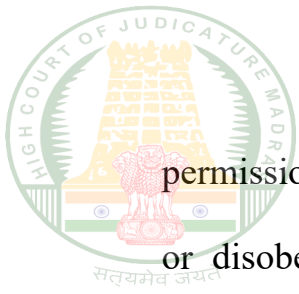
For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate (Crl. Side), For R1

ORDER

The prayer in the Criminal Original Petition is to quash the final report in C.C.No.3 of 2024, pending on the file of the learned Judicial Magistrate, Omalur, Salem District.

2. Upon hearing the learned counsel on either side and perusing the material records of the case, it can be seen that in the year 2023, after the day of Vinayagar Chathurthi, it is alleged that without getting any permission from the appropriate authorities, the petitioners had erected a Vinayagar Statue at a particular place and thereafter, they have taken it to immerse in a lake and procession was also taken without any permission.

3. Upon considering the allegations made and the material that is gathered during the course of investigation, I find that except for non obtaining



permission, there is no offence with reference to causing of any public nuisance or disobeying any order that was communicated to the petitioner. In view thereof, the offences under Section 290 IPC or Section 184 of the Motor Vehicles Act are not made out. In the absence thereof, the offence under Section 143 of IPC is also not made out.

4. Upon query of this Court, the learned counsel for the petitioners would submit that the petitioners will file an affidavit of undertaking that henceforth from the coming year, if the petitioners intend to keep any Vinayagar Statue, or take it in procession and immerse it, they will do so only after permission and they will also not use any Plaster of Paris idols. Let the affidavit be filed before this Court within a period of seven working days from today.

5. In view thereof, the Criminal Original Petition stands allowed and the final report and proceedings in C.C.No.3 of 2024 shall stand quashed on condition that the petitioners shall file an affidavit before seven working days before this Court. Consequently, connected miscellaneous petitions are closed.

21-07-2026

Neutral Citation: No
PVS



To

1. The Judicial Magistrate, Omalur, Salem District

2. The Inspector of Police
Omalur Police Station,
Salem District.
Crime No. 643 of 2023

3. The Public Prosecutor,
High Court, Madras



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D.BHARATHA CHAKRAVARTHY, J.

PVS

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