



CRL.OP.No.18546 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.OP.No.18546 of 2026
and CRL.MP.No.12348 of 2026

M.Parthipan

..Petitioner

Vs.

1. The State rep. by,
The Inspector of Police,
Thiruporur Police Station,
Chengalpattu District.
(Crime No.1744/2020)

2. D.Panneer Selvam

..Respondents

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records culminating Cr.No.1744 of 2020 pending on the file of Thiruporur Police Station, Chengalpattu District and quash the same.

For Petitioner:

Mr.S.Bharanidharan
for Mr.B.Mohan

For Respondents:

Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Crl. Side) for R1



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ORDER

This criminal original petition has been filed seeking to quash the First Information Report (FIR) in Crime No.1744 of 2020 on the file of the first respondent Police, registered for the offences under Sections 143, 188 and 341 of Indian Penal Code (IPC).

2. The prayer sought in this petition is innocuous in nature, and as such, this petition is being disposed of at the admission stage itself, without ordering notice to the second respondent.

3. Upon consideration of the merits of the case, the gist of the allegation is that the petitioner/accused, who belong to a particular organisation, gathered near the local bus stand and staged a protest, demanding that the Government fill up the vacant teachers' posts as expeditiously as possible.

4. When the matter was taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the first respondent Police submitted that the investigation has already been completed; that the



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final report was filed on 05.02.2026 on the file of the learned Judicial Magistrate, Thiruporur vide e-filing No.LTN20230001876C202500244 and that the same is yet to be taken on file.

5. Normally, upon the filing of a final report, this Court would relegate the aggrieved party to challenge the final report instead of the FIR. However, in the case on hand, a larger legal issue is involved. This Court, in *Jeevanandham and others Vs. State rep. by the Inspector of Police and another* reported in *2018 (2) LW CrL.606* has held that for an offence under Section 188 of the IPC, an FIR cannot be registered straightaway nor can a final report be filed.

6. With reference to the other offences invoked under Sections 143 and 341 of the IPC, it is seen that there was absolutely no violence during the protest. Even as per the materials collected during the course of the investigation, no criminal intention to commit an offence is made out against the petitioner. The gathering was purely an expression of the democratic right to protest.



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7. As no *prima facie* offence is made out, this criminal original petition is allowed on the following terms:

(a) The First Information Report in Crime No.1744 of 2020 on the file of the first respondent Police is hereby quashed.

(b) Consequently, the final report filed before the learned Judicial Magistrate, Thiruporur vide e-filing No.LTN20230001876C202500244, stands quashed in its entirety against the petitioner as well as the other accused.

Connected miscellaneous petition is closed.

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Neutral Citation: No

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To

1.The Judicial Magistrate,
Thiruporur.

2.The Inspector of Police,
Thiruporur Police Station,
Chengalpattu District.

3.The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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