



CRL.OP.No.18461 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.18461 of 2026
and
CRL.MP.Nos.12286 & 12288 of 2026

P.M.Gunasekaran

..Petitioner

Vs.

State rep. by
The Inspector of Police,
Tiruchengode Town Police Station,
Tiruchengode, Namakkal District.

..Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the records pertaining to Final Report No.266 of 2024 dated 21.07.2024 in STC.No.350 of 2025 on the file of Judicial Magistrate Court at Tiruchengode and to quash the same as illegal insofar as the petitioner/Accused No.34 in the above case.

For Petitioner:

Mr.T.L.Thirumalaisamy

For Respondent:

Mr.M.Mohamed Riyaz,
Government Advocate (Crl. Side)



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ORDER

This criminal original petition has been filed seeking to quash the Final Report No.266 of 2024 dated 21.07.2024 in STC.No.350 of 2025.

2. Upon perusing the First Information Report (FIR), the materials collected during the course of investigation and the final Report, it is seen that the petitioner along with others allegedly joined together to stage a protest against the arrest of the office bearers belonging to a particular political party without obtaining formal permission. Consequently, a case was registered and the final report was filed for the offences under Sections 189(2), 285 and 292 of BNS.

3. Heard the learned counsel on either side and perused the materials available on record.

4. According to the allegations, the petitioner and others merely attempted to protest and were immediately dispersed. Therefore, the essential ingredient to make out an offence of causing public nuisance, obstruction or injury to any public way or line of navigation, are entirely absent. Since the primary offences are not made out, the consequential



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offence under Section 189(2) of the BNS also cannot stand.

5. Considering that the entire episode was nothing but an expression of the petitioner's democratic right to protest and did not amount to any criminal offence, this criminal original petition stands allowed. The Final Report No.266 of 2024 dated 21.07.2024 in STC.No.350 of 2025, pending on the file of the Judicial Magistrate Court at Tiruchengode, is hereby quashed. Connected miscellaneous petitions are closed.

15-07-2026

Neutral Citation: No
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To

1.The Judicial Magistrate,
Tiruchengode.

2.The Inspector of Police,
Tiruchegode Town Police Station,
Tiruchegode, Namakkal District.

3.The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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