



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 17685 of 2026

and

CRL.M.P.No.11783 of 2026

1. Maragatham
W/o Kumaravel,
No.1/241 Eswaran Kovil Street,
Senganmal, Thaiyur,
Kancheepuram District
2. Kumaravel
S/o Subramani
No.1/241 Eswaran Kovil Street,
Senganmal, Thaiyur,
Kancheepuram District

..Petitioners / Accused
3 & 5

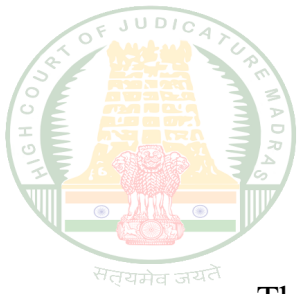
Vs

State rep by the Inspector of police
E-2, Thirukazhukundram police station,
Chengalpattu District,
crime no.77/2025

..Respondent /
Complainant

Prayer: This Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records in Crime No.77/2025 dated 27.02.2025 on the file of Inspector of Police, Thirukazhukundram Police Station, Chengalpattu District and quash the same.

For Petitioner(s):	Mr.A.Kalaiselvan for Mr.R.Sankarasubbu
For Respondent(s):	Mr.R.Rajasekaran Government Advocate (Criminal Side)



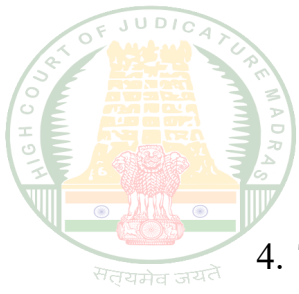
ORDER

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The prayer in this Criminal Original Petition is to quash the FIR in Crime No. 77 of 2025, dated 27.02.2025.

2. The petitioners are members of a particular political party. They had assembled together and conducted a protest against the Government of the day, contending that no proper action had been taken with regard to the drug menace prevailing in the State. Since the protest was conducted without obtaining prior permission, a case was registered against them under Sections 126(2), 292, 189(2) and 223 of BNS.

3. The learned counsel for the petitioners submitted that, even with respect to some of the offences alleged, the principles laid down by this Court in *Jeevanandham & Others vs. State rep. by Inspector of Police & another* reported in **2018 (2) LW CrI.606**, have not been followed. It was further submitted that the ingredients of the other offences are also not made out, inasmuch as there was no intention on the part of the petitioners to commit any offence. According to the learned counsel, the protest was conducted only to express their views and was an exercise of their democratic right to hold a peaceful protest.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioners had conducted the protest without obtaining prior permission and that the same had caused inconvenience to the public.

5. I have considered the rival submissions and perused the materials available on record. It cannot be said that the protest caused any disturbance to public order or resulted in damage to public property. The incident appears to have been a peaceful protest conducted in support of a lawful demand. In such circumstances, I am of the view that the entire incident was merely an exercise of the democratic right to protest and that no criminal offence is made out.

6. Accordingly, this Criminal Original Petition is allowed and the FIR in Crime No.77 of 2025 is hereby quashed. Consequently, connected miscellaneous petition is closed.

09-07-2026

Neutral Citation: Yes/No

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To
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1. The Inspector of police
E-2, Thirukazhukundram police station,
Chengalpattu District.
2. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 17685 of 2



D.BHARATHA CHAKRAVARTHY, J.

av

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09-07-2026