



Crl.O.P.No.32907 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 06.07.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.32907 of 2025
and Crl.M.P.No.22961 of 2025

K.Mahesh

.. Petitioner

Versus

1. STATE by
Inspector of Police,
Thiruvallur Taluk Police Station,
Tiruvallur,
Tiruvallur District.
[Crime No: 308 of 2017]

2. Baskar

.. Respondents

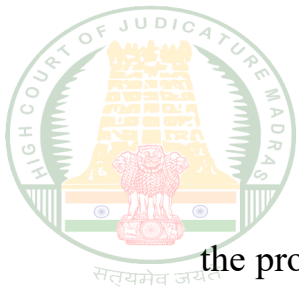
Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to P.R.C.No.13 of 2017 on the file of the learned Judicial Magistrate No.I, Tiruvallur and quash the same.

For Petitioner : Mr.S.Prabhu

For Respondent : Mr.M.Mohamed Riyaz,
Government Advocate (Criminal Side),
for R1

ORDER

Totally 45 persons are arrayed as accused in this case. All these accused are said to have protested against the TASMACH shop. However,



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the protest turned violent inasmuch as some of the persons are said to have entered into the shop by breaking open the shutters and damaging the liquor bottles and the total loss for the government is said to be Rs.2,00,000/-.

2. The learned Counsel for the petitioner would submit that as far as the present petitioner is concerned, he didn't indulge in any violence except to make a peaceful protest. The adjudicatory orders, in this case, would reveal that several of the accused have also died and the matter is pending from the year 2017. The petitioner is also attending the Court for the past 8 years full. The following factors are borne in mind:-

(i) Some of the offences invoke the dictum of this Court in the case of ***Jeevanandham and Ors. Vs. State rep. By the Inspector of Police and Anr.***¹ and the Police cannot file charge sheets straight away.

(ii) Except for such allegation of damaging the liquor bottles to the tune of Rs.2,00,000/-, otherwise, it seems that the men and women have joined together and have protested against the TASMACH shop, thus, exercising their democratic right;

(iii) Even though on the teeth of the allegation of damage to the

¹ 2018 (2) LW CrI. 606



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bottles and by entering into the shop, this Court will not normally quash the proceedings, considering the fact that the occurrence is of the year 2017 and this petitioner has been attending the Court and the matter is pending at the P.R.C stage from the year 2017, I am of the view that any further continuation of the case as against the petitioner could become oppressive, no useful purpose will be served, and no meaningful trial is possible at the distant point of time.

3. For all the aforesaid reasons, this Criminal Original Petition stands allowed and the proceedings in P.R.C.No.13 of 2017 on the file of the learned Judicial Magistrate No.I, Tiruvallur, stands quashed. Consequently, connected miscellaneous petition is closed.

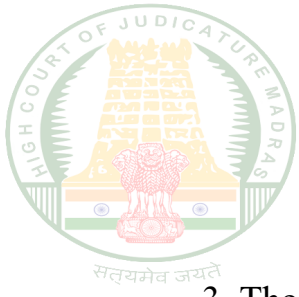
06.07.2026

Neutral Citation : yes/no
grs

To

1. The Judicial Magistrate No.I,
Tiruvallur.
2. The Inspector of Police,
Thiruvallur Taluk Police Station,
Tiruvallur,
Tiruvallur District.

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3. The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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