



Crl.O.P.(MD).No.3418 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.3418 of 2025

1. Marimuthu
2. Palanikumar
3. Senrayaperumal
4. Pandiarajan
5. Ponnusamy

...Petitioner/Accused No.8,13,21
29 and 32

Vs

1. The State Represented by
The Sub Inspector of Police,
Peraiyur Police Station,
Madurai District.
(Crime No.226 of 2022)

... 1st Respondent/Complainant

2. Balaji

... 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the entire records in C.C.No.40 of 2024 pending on the file of the District Munsif cum Judicial Magistrate, Peraiyur and quash the same against the petitioners.



WEB COPY



Crl.O.P.(MD).No.3418 of 2025

For Petitioners : M/s.M.P.Roniga
For R1 : Mr.G.Ganesh Kumar
Government Advocate (Crl.Side)

ORDER

The present petition has been filed by A8, A13, A21, A29 and A32 in C.C.No.40 of 2024, on the file of the District Munsif-cum-Judicial Magistrate, Peraiyur, seeking to quash the charge sheet, wherein the petitioners are charged with the offences under Sections 147, 294(b), 341 and 353 of IPC.

2. A perusal of the charge sheet reveals that the petitioners along with other accused persons totally 35 members are said to have blocked the road demanding proper road to be laid to the burial ground of the Adi Dravidar people. It is alleged that the dead body was kept in the road and it caused hindrance to the general public as well as the public transport.

3. Other accused have been charged with the offence under Section 506(1) of IPC also.



Crl.O.P.(MD).No.3418 of 2025

WEB COPY

4. According to the learned counsel appearing for the petitioners, for so many years no proper road facility has been provided for the Adi Dravidar people to reach the burial ground and therefore there was a protest. In such circumstances, the same cannot be considered as a criminal offence.

5. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

6. As far as the charges as against the present petitioners are concerned, they have lodged a protest in the road demanding proper road facilities to the burial ground of the Adi Dravidar people and in such circumstances the same cannot be considered as a criminal offence and the other accused persons have been charged with the offence under section 506(1) of IPC.

7. In such circumstances, the continuation of criminal proceedings as against the petitioners would only be an abuse of process of law and therefore the same is liable to be quashed.



Crl.O.P.(MD).No.3418 of 2025

WEB COPY

8. Accordingly, the charge sheet in C.C.No.40 of 2024 on the file of the District Munsif-cum-Judicial Magistrate, Peraiyur is hereby quashed as against the petitioners alone.

9. With the above said observations, this Criminal Original Petition is allowed.

28.07.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The District Munsif cum Judicial Magistrate,
Peraiyur.
2. The Sub Inspector of Police,
Peraiyur Police Station,
Madurai District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

4/5



WEB COPY



Crl.O.P.(MD).No.3418 of 2025

R.VIJAYAKUMAR,J.

ebsi

Crl.O.P(MD)No.3418 of 2025

28.07.2026