



Crl.O.P.(MD)No.3464 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.02.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.3464 of 2026
& Crl.M.P.(MD)Nos.3738 and 3740 of 2026

Rajadurai

... Petitioner/ A41

Vs.

1.The State of Tamil Nadu
rep., by the Inspector of Police,
Pavoorchatram Police Station,
Thenkasi District.
Crime No.96 of 2023

2.Govindharaj

... Respondents

PRAYER : Petition filed under Section 528 of BNSS, 2023 to call for the entire records pertaining to the case in C.C.No.439 of 2023 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District and quash the same.

For Petitioner : Mr.B.Micheal Sebastin

For R1 : Mr.B.Thanga Aravindh
Government Advocate (crl.side)



Crl.O.P.(MD)No.3464 of 2026

ORDER

WEB COPY

Seeking quashment of the final report in C.C.No.439 of 2023 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District, this criminal original petition is filed.

2.Considering that no adverse order is likely to be passed against the second respondent, notice to him is dispensed with.

3.The learned counsel for the petitioner submitted that in a *suo motu* complaint, a FIR in Crime No.96 of 2023 dated 17.03.2023 was registered for the offences under Sections 143, 283 and 353 of IPC and Section 4(1) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 and the same culminated in laying a charge sheet in C.C.No.439 of 2023 on 31.03.2023 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District.

4.The case of the prosecution is that on 17.03.2023 at about 13.30 hours when the police officials from Pavurchathram Police Station, were on routine patrol duty, they had identified the petitioner herein and many others, who had unlawfully assembled in a public road without obtaining any permission and they are obstructing free movement of the general public traffic and they are



Crl.O.P.(MD)No.3464 of 2026

also attempting to erect a billboard in the said place. Despite the police officers are restraining them from not further installing the same, without heeding to the directions, the banners were installed and hence, the crime came to be registered.

5.The learned counsel for the petitioner submitted that the petitioner herein is Accused No.41 and he is in no way connected with the said crime, at which time, he was working in Bangalore. However, a careful reading of the final report do not explicitly reveal the same and has shown the involvement of the petitioner and his friends. Hence, this Court, considering the future of the petitioner, required the petitioner to file an affidavit undertaking that he will not ever erect any banners/ billboards without any proper permission from the competing authority and cause any obstruction to the traffic or hindrance to the general public. Accordingly, the case is posted today.

6.Today ie., 20.02.2026, when the matter came up for hearing, the petitioner has duly filed an affidavit dated 19.02.2026 undertaking that he will not erect any banner, flex board, hoarding or any advertisement material in any public place in future, without obtaining proper permission from the competent authority in accordance with law.



Crl.O.P.(MD)No.3464 of 2026

WEB COPY

7. Accepting the same, the impugned charge sheet in C.C.No.439 of 2023 on the file of the learned Judicial Magistrate, Tenkasi, Tenkasi District, is hereby quashed as far as the petitioner is concerned. The undertaking affidavit dated 19.02.2026 shall form and parcel of this order.

8. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

20.02.2026

NCC : Yes / No

Index : Yes / No

Rmk

TO:-

1. The Judicial Magistrate, Tenkasi, Tenkasi District.
2. The Inspector of Police,
Pavoorchatram Police Station,
Thenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.O.P.(MD)No.3464 of 2026

L.VICTORIA GOWRI, J.

Rmk

Order made in
CrI.O.P.(MD)No.3464 of 2026

Dated
20.02.2026