



CRL OP(MD). No.4718 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11/02/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.4718 of 2025

and

Crl.M.P(MD).Nos.3377 and 3378 of 2025

1. R. Thavidan,
2. K.Chandran,
3. M.Karuppasamy,

... Petitioners

Vs

1. The State of Tamil Nadu,
Rep by the Sub Inspector of Police,
Aviyur Police Station,
Virudhunagar District.
Crime No. 70/2023.

2. A.Suresh,
Sub Inspector of Police,
Aviyur Police Station,
Virudhunagar District..

... Respondents

PRAYER :- To call for the records pertaining to the charge sheet in C.C No. 16/2024 on the file of the Judicial Magistrate No.II, Virudhunagar and quash the same in respect of the petitioners as illegal.



CRL OP(MD). No.4718 of 2025

For Petitioner : Mr.Mayil Vahana Rajendran. C,
For R1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

ORDER

This petition has been filed to quash the charge sheet in C.C No. 16 of 2024 on the file of the Judicial Magistrate No.II, Virudhunagar

2. The learned counsel for the petitioners submitted that, at the instance of the respondent police, a *suo motu* complaint was registered against the petitioners herein, who are the administrative/temple committee members of Chinnakarupannasamy Kovil, Arasakulam, for the offences under Sections 114 and 294(a) of the IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Crime No. 70 of 2023. Upon completion of the investigation, the same culminated in the filing of a charge sheet in C.C. No.16 of 2024 on the file of the learned Judicial Magistrate No.II, Virudhunagar, for the aforesaid offences.



CRL OP(MD). No.4718 of 2025

3. The prosecution case is that, in their capacity as temple committee members, the petitioners organized an Aadal Padal programme. However, neither the nature of the songs nor the nature of the dance performed, as organized by the committee members, is not clearly set out in the charge sheet.

4. The learned counsel for the petitioner submitted that the statements have been recorded under Section 161 of the Cr.P.C.; however, none of the witnesses whether independent or official witnesses have spoken about the allegations mentioned in the charge sheet. He further submitted that none of the villagers came forward to give statements against the committee members. However, it is contended that the allegation of conducting obscene songs and dances would be substantiated only if credible evidence exist; yet, the police registered the case and cancelled the programme, allegedly on the ground that it violated the order passed by this Court in W.P.(MD) No.6729 of 2023. Hence, he sought for the indulgence of this Court.



CRL OP(MD). No.4718 of 2025

5. The learned Government Advocate (Crl. Side) submitted that the petitioners had obtained an order in W.P.(MD) No.6729 of 2023 from this Court permitting them to conduct the Aadal Padal programme on 01.04.2023, subject to the condition that no obscene songs or dances would be performed. However, the petitioners allegedly conducted the programme in violation of the said condition, during which obscene songs and dances were performed. Hence, he seeks dismissal of this petition.

6. Heard both sides and perused the materials available on record.

7. A careful reading of the charge sheet itself would reveal that the offences under Sections 114 and 294(a) of the IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act are not clearly made out and the charge sheet itself would show that the prosecution case is false. There are no clear details regarding the nature of the alleged obscene songs or dances said to have been organized. In the absence of the foundational facts necessary to constitute the alleged offences,



CRL OP(MD). No.4718 of 2025

compelling the accused to undergo the rigours of a criminal trial would amount to an abuse of the process of law.

8. In the instant case, the charge sheet does not disclose the essential particulars that would form the foundational basis to make out offences under Sections 114 and 294(a) of the IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. Hence, the same is liable to be set aside.

9. In the result, the Criminal Original Petition is allowed. The proceedings in C.C No. 16/2024 on the file of the Judicial Magistrate No.II, Virudhunagar, is quashed insofar as the petitioners are concerned. Consequently, the connected miscellaneous petitions are closed.

11.02.2026

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CRL OP(MD). No.4718 of 2025

To

WEB COPY

- 1.The Sub Inspector of Police,
Aviyur Police Station,
Virudhunagar District,
- 2.The Judicial Magistrate No.II,
Virudhunagar.



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CRL OP(MD). No.4718 of 2025

L. VICTORIA GOWRI,J

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ORDER
IN
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