



Crl.O.P.(MD).No.5784 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.5784 of 2026

and

Crl.M.P(MD) Nos.6232 and 6235 of 2026

1. Susilan @ Arockia Viyagappan Susilan
2. Michael Dhasan
3. Baskar
4. Nepoliyan
5. Joseph Sivaan @ Joseph Siban
6. Rubert @ John Rubert
7. Kingjo @ Joseph Michael Kingsho
8. Inigo @ Sebastin Inigo
9. Ruban @ Fernando Ruby Jupitar John

... Petitioners

Accused Nos.1, 4, 6, 7 & 10 to 14

Vs.

1. The State of Tamil Nadu,
Represented by
The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
Crime No.173 of 2012

... 1st Respondent/
Complainant

2. Mohan,
Police Constable,
Ottapidaram Police Station,
Thoothukudi District.

... 2nd Respondent/
Defacto complainant



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PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records of the impugned charge sheet in P.R.C.No.5 of 2026 on the file of the learned Judicial Magistrate Court, Valliyoor and quash the same as illegal.

For Petitioners : M/s.S.Ragaventhre

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed by the accused persons in P.R.C.No.5 of 2026 on the file of the learned Judicial Magistrate Court, Valliyoor, seeking to quash the charge sheet, wherein, they are charged with offences under Sections 147, 148, 336, 294(b), 353, 307, 506(ii) of IPC and Section 4 of TNPPDL Act.

2. A perusal of the charge sheet reveals that the petitioners and others are said to have carried arms, wooden log and stones in their hands and unlawfully assembled and attacked the personnel who are safeguarding the Kudankulam Atomic Power Project. It is further alleged that they made an attempt to attack the concerned police personnel also.



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3. According to the learned counsel appearing for the petitioners, the petitioners have only protested against the Kudankulam Power Project and a false case has been foisted as against them. She further submitted that there was no attempt of any murder of police personnel. She further submitted that no one was injured in the said alleged incident and therefore, the entire charge sheet has to be quashed.

4. Per contra, the learned Additional Public Prosecutor appearing for the first respondent submitted that it is not the case of democratic protest, but they have carried arms in their hands and attacked the government officials and also caused damage to the government vehicle to a tune of Rs.10,050/- .

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

6. It could be seen from the charge sheet that the petitioners are said to have used arms, wooden logs and stones to attack the police personnel who are safeguarding the Kudankulam Power Project and also alleged to have caused damage to the government vehicle. In such circumstances, a prima



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facie case has been made out as against the petitioners for undergoing trial.

Therefore, the question of quashing the charge sheet would not arise.

7. Considering the above said facts, the personal appearance of the petitioners shall be dispensed with unless they are specifically directed to be present before the Court.

8. With the above said observation, this Criminal Original Petition stands dismissed. Consequently connected Miscellaneous Petitions are closed.

24.03.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The Inspector of Police,
Pazhavor Police Station,
Tirunelveli District.
2. The Judicial Magistrate Court,
Valliyoar.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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