



CrI.O.P.(MD).No.13310 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD)No.13310 of 2026

and

CrI.M.P(MD) No.13014 of 2026

1. Mohamed Sulaiman
2. Abdul Karim
3. Shamsulluha
4. Syed Sulaiman
5. Siddiq
6. Abbas
7. Al Ameen
8. Syed Mohamed
9. Gulam Thasthakeer
10. Mohamed Bilal
11. Umar Farook
12. Mohamed Yousuf
13. Mohamed Abdul Rahman
14. Syed Jahir
15. Mohamed Hussian
16. Rasool Moitheen

...Petitioners/Accused Nos. 1 to 16

Vs

State of Tamil Nadu
Represented by the Inspector of Police,
Siruganur Police Station,
Trichy District.
(Crime No.40 of 2023)

... Respondent/Defacto Complainant



Crl.O.P.(MD).No.13310 of 2026

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned Charge Sheet in Crime No.40 of 2023 on the file of the respondent and to quash the same as illegal and pass such further or other orders as this Court may deem fit.

For Petitioners : Mr.SMA Jinnah

For Respondent : Mr.B.Arun
Counsel for State of TN (Crl.Side)

ORDER

The present Criminal Original Petition has been filed by the accused persons in Crime No.40 of 2023 on the file of the respondent police seeking to quash the FIR, wherein they are alleged to have committed offences under Sections 143, 188, 153A and 504 of IPC.

2. A perusal of the FIR reveals that the petitioners are said to have spoken in a public conference titled “Eradication of Superstition and Social Awareness” organized by the Thowheed Jamaat on 05.02.2023. In the said meeting the petitioners and others are said to have spoken about the demolition of the Babri Masjid and they are said to have attacked the political party ruling the Central Government. Thereafter, the present FIR has been



CrI.O.P.(MD).No.13310 of 2026

registered for the offences under Sections 143, 188, 153 A and 504 of IPC.

The FIR has been registered on 06.02.2023.

3. According to the learned counsel appearing for the petitioners, for the public conference appropriate police permission has been obtained and none of the speeches made in the said conference could be said to be promoting any anonymity among the various religious groups. He further submitted that so far, the charge sheet has not been laid for the past three years.

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

5. The petitioners are alleged to have committed offences under Sections 143, 188, 153A and 504 of IPC. The maximum punishment for these offences is three years. Though the FIR has been registered on 06.02.2023 charge sheet has not been laid so far. In such circumstances, in view of Section 468 (2) (C) of Cr.P.C, the Court cannot take cognizance and it is barred by limitation.



Crl.O.P.(MD).No.13310 of 2026

WEB COPY

6. In such view of the matter, the continuation of the criminal proceedings as against the petitioners herein would only be an abuse of process of law. Therefore FIR in Crime No.40 of 2023 on the file of the respondent police stands quashed.

7. Accordingly, this Criminal Original Petition is allowed.
Consequently connected Miscellaneous Petition is closed.

16.07.2026

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

- 1.The Inspector of Police,
Siruganur Police Station,
Trichy District.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai



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Crl.O.P.(MD).No.13310 of 2026

R.VIJAYAKUMAR,J.

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Crl.O.P(MD)No.13310 of 2026

16.07.2026