



Crl.O.P.(MD).No.14095 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.14095 of 2026

and

Crl.M.P(MD) No.13689 of 2026

Kanagaraj

... Petitioner/ Accused No.1

Vs

1. The State of Tamil Nadu
Represented by
The Inspector of Police,
Palani Adivaram Police Station,
Dindigul District.
(Crime No.382 of 2021)

... 1st Respondent/Complainant

2. Seenivasan
Grade-I Police Constable,
Palani Adivaram Police Station,
Dindigul District.

... 2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned FIR in Crime No.382 of 2021 on the file of the first respondent police and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.C.Ezhilarasu

For R1 : Mr.G.Ganesh Kumar
Government Advocate (Crl.Side)



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ORDER

The present petition has been filed by the first accused in Crime No. 382 of 2021 on the file of the first respondent police seeking to quash the FIR wherein the petitioner is charged with the offence under Sections 143 and 269 of IPC and Section 3 of Epidemic Diseases Act, 1897.

2. A perusal of the FIR reveals that the petitioner, who belongs to a political party, is said to have unlawfully assembled along with other members of the political party and raised slogans as against the State Government to open the temples on Friday, Saturday and Sunday.

3. According to the learned counsel appearing for the petitioner, the incident has taken place in the year 2021 when some of the religious places of worship to open and therefore, there are present agitation was done at the instance of a political party.

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



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5. Primarily, the present FIR has been registered due to the fact that during pandemic period, the petitioner along with three others is said to have unlawfully assembled and raised slogans as against the State Government for not opening the temples for darshan. There is no allegation that any one of them were already affected with COVID -19. A perusal of the FIR reveals that all the accused persons are office bearers of a political party. There is no allegation whatsoever that they have caused any damage to the public property.

6. In such view of the matter, this Court is of the considered opinion that it was a democratic protest without any hindrance to the general public and in such circumstances, continuation of the criminal proceedings as against the petitioner would only be an abuse of process of law. The other accused persons in the same crime number are also stand on the same footing.

7. In view of the above said facts, the FIR in Crime No. 382 of 2021 on the file of the first respondent police stands quashed not only as against the petitioner but also as against the other accused persons in the said FIR



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8. With the above said observations, this Criminal Original Petition is allowed. Consequently connected Miscellaneous Petition is closed.

13.07.2026

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

1. The Inspector of Police,
Palani Adivaram Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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