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Crl.O.P.(MD).No.16639 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.16639 of 2026

and

Crl.M.P(MD) Nos.16129 and 16130 of 2026

1. Mullai Kottai
2. Lakshmanan
3. Kathiresan
4. Muneeswari
5. Ganga

... Petitioners/
Accused Nos. 1 to 5

Vs

1. The State of Tamil Nadu,
Represented by the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.501 of 2024)

... 1st Respondent/Complainant

2. Kameshwaran
Village Administrative Officer,
No.46, Administrative Officer,
No.46, Sakkarakottai,
Ramanathapuram,
Ramanathapuram District.

... 2nd Respondent/P.W.1

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the charge sheet in S.T.C.No.1901 of 2025 on the file of the learned Judicial Magistrate No.II, Ramanathapuram



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in Crime No.501 of 2024 on the file of the first respondent police and quash the same in respect of the petitioners as illegal and to pass such further or other orders as this Court may deem fit.

For Petitioners : Mr.S.Baskar Mathuram

For R1 : Mr.P.Samuel Gunasingh
Government Advocate (Crl.Side)

ORDER

The present petition has been filed by A1 to A5 in S.T.C.No.1901 of 2025 on the file of the learned Judicial Magistrate No.II, Ramanathapuram, seeking the quash the charge sheet, wherein the petitioners are alleged to have committed offence under Sections 189(2), 126(2), 285, 292 and 293 of BNS, 2023.

2. A perusal of the charge sheet reveals that the petitioners herein have unlawfully assembled at about 09.15. a.m on 29.09.2024 in violation of orders passed under Section 163 of BNSS and staged a protest as against the police personnel for arresting certain people and they caused inconvenience to the general public as well as the public transport.



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3. According to the learned counsel appearing for the petitioners, it was a protest by the villagers for the arrest of one of the general public from their village and they had no intention to cause any disturbance to the general public of the public transport.

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

5. The petitioners are said to have protested in a peaceful manner and there is no allegation whatsoever of any damage to public property. They have been immediately arrested and removed from the scene of occurrence within a period of 15 minutes and in such circumstances, this Court does not find any reason to continue the criminal prosecution as against the petitioners herein.

6. In such view of the matter, the charge sheet in S.T.C.No.1901 of 2025 on the file of the learned Judicial Magistrate No.II, Ramanathapuram stands quashed.



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7. Accordingly, this Criminal Original Petition is allowed.

Consequently connected Miscellaneous Petitions are closed.

07.08.2026

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

1. The Judicial Magistrate No.II,
Ramanathapuram.
2. The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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