



CRL OP No. 4963 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 4963 of 2025

AND

CRL MP NO. 3197 OF 2025

1. Palanivel
2. Suresh
3. Ramesh
4. Rangasamy
5. Ponnusamy
6. Kulandaivel
7. Subramani
8. Ramasamy
9. Suresh
10. Murugesan
11. Ganesan
12. Kandasamy



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13. Jeeva @ Jeevendran
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14. Krishnamoorthy

15. Mohanraj

16. Varatharajan

17. Eswaran

18. Chellamuthu

19. Velumani

20. Subramaniyan

21. Eswaran

22. Kumar

23. Prakash

24. Thirumalai

25. Palanivel

Petitioners

Vs

1. The State

Rep By, The Sub Inspector Of Police,
Tiruchengode Police Station,
Namakkal District.
Crime No. 40/2024



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2.MUTHURAJ

Village Administrative Officer,
No.34, Tiruchengode Town, Tiruchengode,
Namakkal District.

Respondents

PRAYER:- Criminal Original Petition filed under Sec. 528 of B.N.S.S., praying to call for records in Crime No.40 of 2024 pending on the file of the 1st respondent police and to quash the same in so far as the petitioners are concerned

For Petitioners: Mr.R.Thirumoorthy

For Respondents: Mr. A.Gopinath
Government Advocate (Crl. Side)
for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the FIR registered in Crime No.40 of 2024 on the file of the first respondent police for the offences under Sections 143, 283, 290 of IPC.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent. Perused the materials available on record.



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3. The case of the prosecution is that the defacto complainant has been serving as the Village Administrative Officer of Kokalai Village. Within his jurisdiction, quarry and crusher units are functioning, against which the petitioners have been regularly staging demonstrations, alleging that the quarry and crusher operations are polluting water sources and agricultural lands. On 31.01.2024, at around 9.00 p.m., the petitioners unlawfully assembled and staged a demonstration against the inaction of the District Administration, led by the second petitioner.

4. Based on the above incident, the defacto complainant lodged a complaint before the first respondent and a case was registered in Crime No.40 of 2024 for the offences under Sections 143, 283, 290 of IPC.

5. The second petitioner, who is affiliated with CPIM, was invited to address a public meeting organized by the villagers to protest against the quarry operations. The objection was based on the ground that the quarry is



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situated within 300 meters of agricultural land, which violates the prescribed norms. It is alleged that the quarry operators illegally obtained permission and are carrying out commercial operations near residential areas and agricultural field. Therefore, the petitioners planned to hold a meeting to raise their concerns. However, an FIR has been registered for the said action, allegedly at the instigation of the quarry operators.

6. Further, the FIR is pending from 31.01.2024, without any further progress. Therefore, the mere pendency of the FIR would not serve any purpose. That apart, the offences under Sections 143, 283, 290 of IPC are not attracted as against the petitioners. Therefore, the FIR in Crime No.40 of 2024 on the file of the first respondent cannot be sustained and is liable to be quashed.

7. In view of the above, the FIR registered in Crime No.40 of 2024 on the file of the first respondent is hereby quashed. Accordingly, this Criminal



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Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sub Inspector Of Police,
Tiruchengode Police Station,
Namakkal District.

2. Mr. MUTHURAJ
Village Administrative Officer, No.34,
Tiruchengode Town, Tiruchengode,
Namakkal District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN J.

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