



Crl.O.P.No. 17570 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.17570 of 2023 and
Crl.M.P.Nos.11566 and 11564 of 2023

1.Gowri Sangar @ Gowri Sangar Dheekshidar
2.Sivaselvan @ Sivaselvan Dheekshidar
3.Siva Selvam @ Siva Selvam Dheekshidar
4.Sith Sabesh @ Sith Sabesan Dheekshidar
5.Sivasankaran @ S.N.S.Sivasankran Dheekshidar
6.Baranidharan @ Rajathoma Ganesan Dheekshidar
7.Gugesan @ Gugesan Dheekshidar
8.Balasubramania Dheekshidar
9.Sabapathy @ Sabapathy Dheekshidar ... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. By Deputy Superintendent of Police,
Chidambaram Town,
Tamil Nadu.

2.Jayasheela ..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for records in S.C.No.61 of 2022 on the file of the District and Sessions Court, Cuddalore and quash the final report / charge sheet.



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For Petitioners : Mr.R.John Sathyan,
Senior Counsel for
Mr.G.Chandrasekaran

For R1 : Mr.A.Gopinath,
Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed seeking the quashing of the charge sheet in S.C. No. 61 of 2022 on the file of the District and Sessions Court, Cuddalore.

2. The petition arises out of a complaint lodged by the second respondent, upon which the first respondent registered an FIR in Crime No. 242 of 2022, alleging offences punishable under Sections 147, 323, 341 of IPC, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2022 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989. The second respondent, who is a spinster and belongs to a scheduled caste community, has been worshipping at the Natarajar Temple for several years, particularly at the Kanagasabai (sacred stage). Despite the pandemic restrictions, the



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accused persons allegedly obstructed the second respondent from entering the Kanagasabai (sacred stage) and worshipping the deity, claiming that only the Dheekshidars of the Natarajar Temple, being from the Brahmin community, were allowed to do so. When the second respondent raised the issue, she was allegedly abused in a derogatory manner, her caste was mentioned and she was physically assaulted and humiliated. The accused also allegedly tore her dress in public. After the investigation, the first respondent filed the final report and the same has been taken cognizance in S.C. No. 61 of 2022 by the Trial Court.

3. The learned Senior Counsel representing the petitioners, who are arrayed as A1 to A9, submits that the petitioners belong to the Dheekshidar sector of the Brahmin community and are hereditary trustees of the Natarajar Temple at Chidambaram. It is contended that during the Covid-19 pandemic, public access to the temple was restricted and only in 2022 were some relaxations implemented by the Government of Tamil Nadu. The petitioners further argue that on 13.02.2022, the second respondent attempted to claim entry to the Kanagasabai (sacred stage) and when the petitioners objected, a quarrel ensued, during which the



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second respondent allegedly harassed them. It is claimed that the second respondent has falsely implicated the petitioners in her complaint. Moreover, the learned Senior Counsel submits that the second respondent did not specifically name any of the petitioners and was unaware of their identities, making it implausible that they would have abused her using her caste name. That apart, the subject matter of G.O.Ms.No.115 is under challenge before the Hon'ble Division Bench of this Court in W.P.Nos.36022, 20467 and 30365 of 2023 and it is pending.

4. The learned Government Advocate (Crl. Side) submits that the Government of Tamil Nadu issued a specific order permitting all devotees to enter the Kanagasabai (sacred stage) to worship Lord Natarajar. Notwithstanding this, the petitioners allegedly prevented the second respondent from entering the Kanagasabai (sacred stage), abused her with her caste name and physically assaulted her in front of other worshipers. The Government Advocate argues that all the offences mentioned in the FIR are clearly applicable to the petitioners.

5. Heard both sides and perused the materials placed before this



6. On perusal of records, it is observed that the second respondent had posted a message on YouTube regarding the alleged harassment by the Dheekshidars stating that whenever she visited the temple, the petitioners would harass her. The second respondent's statements, corroborated by eyewitnesses, indicate that on 12.02.2022, she went to the temple to seek permission to enter the Kanagasabai (sacred stage) to worship Lord Natarajar, but was insulted by the Dheekshidar and was informed that a fellow Dheekshidar, Pasupathi, was suspended for signing the permission. On 13.02.2022, when the second respondent again went to the temple, she was denied entry and was abused by the petitioners, who used her caste name. She was also threatened with a false accusation of stealing silver ornaments from the temple. Eyewitness testimonies support these claims. Therefore, this Court finds that there are sufficient materials to attract the offences under Sections 147, 323, and 341 of the IPC, Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2022, and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989, against the petitioners.



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7. In view of the above, this Court finds no grounds to quash the proceedings in C.C. No. 61 of 2022. Accordingly, this Criminal Original Petition stands dismissed. However, the Trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

12.03.2025

Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. District and Sessions Court, Cuddalore
2. The Deputy Superintendent of Police,
Chidambaram Town,
Tamil Nadu.
3. The Public Prosecutor,



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High Court, Madras.
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G.K.ILANTHIRAIYAN, J.

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