



W.P.Crl.No.224 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Crl.No.224 of 2025

Muthu Krishnan Thangaiya

... Petitioner

Vs.

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam – 611 011.

2. The Inspector of Police,
Nagore Police Station,
Nagore (Kottagam),
Nagapattinam – 611 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.05/Nagore. Ka.Ni/Na.U.Ko/2025 dated 23.06.2025 on the file of the 2nd respondent and to quash the same and to permit the petitioner to celebrate the petitioner's wife Thangam's 30th death anniversary on 03.07.2025 or any other short date in the month of July 2025.

For Petitioner : Mr.G.Krishnamurthy

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

The Writ Petition is filed seeking for issuance of Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.05/Nagore. Ka.Ni/Na.U.Ko/2025 dated 23.06.2025 on the file of the 2nd respondent and to quash the same and to permit the petitioner to celebrate the petitioner's wife Thangam's 30th death anniversary on 03.07.2025 or any other short date in the month of July 2025.

2. According to the petitioner, his wife Thangam died in a parcel bomb blast sent by the extremist. To sacrifice her death, the petitioner is celebrating her death anniversary as "Veera Vanaka Naal" every year 3rd June from 1996 till 2004, in a peaceful manner with due permission of the respondent-Police. While that being so, the petitioner submitted a representation dated 04.04.2025 to the respondents-Police seeking to grant permission for the silent rally and public meeting proposed to be held on 03.07.2025 to celebrate 30th death anniversary of his wife, but the second respondent-Police without enquiry or calling any explanation, passed the impugned rejection order on 23.06.2025 and the same was



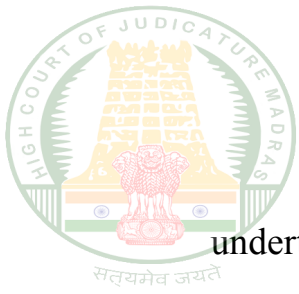
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served on 24.06.2025. Hence, the petitioner seeks intervention of this

Court on the ground that the fundamental rights of the petitioner have been deprived by the respondents-Police citing untenable reasons.

3. Learned Government Advocate (Crl.Side) appearing for the respondents-Police, on instructions, submitted that even in the year 2023 and 2024, the star speaker of the meeting had made some derogative remarks against a particular religion. Therefore, the respondents-Police registered the case in Crime No.313 of 2023 for the offences punishable under Sections 153-A(1)(a), 295.A, 189, 506(2) and 505(2) IPC and Crime No.266 of 2024 for the offences punishable under Sections 196, 299, 353(1), 353(2) and 352 BNS. He further submitted that in both cases, charge-sheets have been filed and the matters are pending for trial. Therefore, the respondents-Police apprehended that if permission is granted, it will cause law and order problem and also create religious dispute and hence, the second respondent-Police passed by the impugned rejection order.

4. At this juncture, the learned counsel appearing for the petitioner



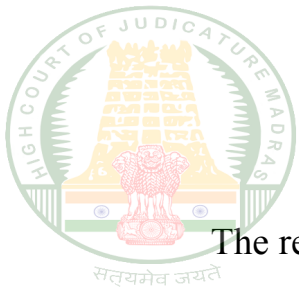
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undertakes that the annual meeting commemorating the death anniversary of the petitioner's wife Thangam, would be conducted without causing any disturbance to the public peace and without creating hatred feeling among the public. If any condition is now imposed, the petitioner undertakes to abide by the same.

5. Heard both sides and perused the materials available on record.

6. As per Article 19 of the Constitution of India, though every citizen had got a right to express his/her views, the said right/freedom is not absolute and it is subject to reasonable restrictions in the interest of the State, public order and other relevant factors.

7. Taking into consideration the facts and circumstances and also considering the objections raised by the respondents-Police, this Court permits the petitioner herein to conduct silent rally and public meeting on 20.07.2025 and the petitioner is directed to give an undertaking that they will not cause disturbance to the public peace, no criminal activities will be provoked, no obscene messages will be uttered during procession and also they will not create any law and order problem to the public peace.



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The respondents-Police shall provide adequate protection for the meeting and rally with reasonable restrictions and also impose reasonable conditions for procession to be conducted on 20.07.2025. If there is any breach of undertaking given by the petitioner, necessary action in accordance with law can be initiated against him.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

09.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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Office to note: Issue order copy by 10.07.2025

To

1. The Superintendent of Police,
Nagapattinam District,
Nagapattinam – 611 011.
2. The Inspector of Police,
Nagore Police Station,
Nagore (Kottagam),
Nagapattinam – 611 002.
3. The Public Prosecutor,
High Court, Madras.

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