



Crl.OP(MD)No.10608 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).Nos.10608 of 2024

and

Crl.M.P.(MD).Nos.7101 of 2024

1. Rejihan @ Regihan,

2. Pradeep @ Pratheep

... Petitioners / 26, 32 Accused

Vs.

1. State of Tamil Nadu,

Rep by.

The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.

(Cr.No. 158 of 2018)

... Respondent / Complainant

2. Jeyakrishnan

.... Respondent / Defacto -
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the proceedings in Crime No.158 of 2018 on the file of the respondent police.

For Petitioner : Mr. T.Selvan

For R-1 : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

Preface:

This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, invoking the inherent powers of this Court, seeking to call for the records pertaining to the proceedings in Crime No.158 of 2018 on the file of the respondent police and to quash the same, as being illegal, arbitrary, mala fide and an abuse of the process of law.

2. The petitioners contend that they have been falsely implicated in a mass FIR registered in the aftermath of the Sterlite agitation, without any specific overt act, identity or legally sustainable material, and that the continuation of the impugned proceedings would amount to travesty of justice.

Case of the prosecution:

3. The case of the prosecution, as borne out from the FIR, is that the *de facto* complainant is a Driver employed with the Tamil Nadu State Transport Corporation and residing at Kanyakumari District. It is alleged that on 25.05.2018 at about 12.30 p.m., while



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the *de facto* complainant was driving a TNSTC bus bearing Registration No.575 on the Kanyakumari–Tuticorin route, along with a conductor and about 55 passengers, the bus reached the Idinthakarai area at around 1.30 p.m.

4. According to the prosecution, after the bus started from the Bishop Roche School bus stop, accused Nos.1 to 45 along with other unknown persons, allegedly armed with deadly weapons, obstructed the bus, used filthy language, attempted to assault the driver and the conductor, and tried to damage the bus. It is further alleged that the accused threatened the driver and the conductor stating that due to the Sterlite issue at Tuticorin, they would return again at about 4.30 p.m. and cause harm.

5. It is stated that the accused subsequently returned, threatened the driver and conductor to flee from the spot, failing which they would be killed, and damaged the Government bus. The *de facto* complainant, driver and conductor are stated to have escaped from the scene and informed the incident to the higher officials of the Transport Corporation. On 26.05.2018, upon visiting



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the spot, the authorities allegedly noticed damage to the bus to the tune of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only). Thereafter, a complaint came to be lodged on 26.05.2018, based on which the present FIR in Crime No.158 of 2018 was registered for the offences under Sections 147, 148, 341, 342, 294(b), 353 and 427 IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act.

Grounds for quash:

6. The petitioners assail the impugned FIR on several grounds. It is contended that the FIR is *ex facie* illegal, contrary to facts, and against all probabilities of the case. It is the specific case of the petitioners that the complaint has been lodged with mala fide intention and personal vendetta, without the *de facto* complainant even knowing the identity of the accused persons. The prosecution itself admits that the alleged occurrence took place in the backdrop of the Sterlite agitation, a period during which several omnibus and put-up cases were registered indiscriminately.



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7. The petitioners would contend that there is no specific allegation, role, or overt act attributed to any of the petitioners, and the FIR merely refers to “accused Nos.1 to 45 and other unknown persons”, which itself demonstrates the mechanical and arbitrary nature of the registration. It is further pointed out that another FIR in Crime No.152 of 2018 on the file of the same police station was registered on 22.05.2018, showing that multiple FIRs were created in connection with the same agitation.

8. The belated registration of the FIR on 26.05.2018, though the alleged occurrence is stated to have taken place on 22.05.2018, remains unexplained and fatal to the prosecution. It is also highlighted that till date, no charge sheet has been filed, no substantial investigation has been carried out, and no material exists to proceed against the petitioners, even after more than six years.

9. Reliance is placed on the observations of the Division Bench of this Court in W.P.No.3609 of 2021 dated 21.09.2021, wherein it was recorded that several cases registered in connection with the



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Sterlite agitation were put-up cases and were liable to be closed or quashed.

Submissions:

10. The learned counsel for the petitioners submitted that the impugned FIR is a classic example of abuse of criminal law machinery, wherein innocent persons have been roped in without any identification, test identification parade, or legally acceptable material. It was argued that the continuation of the proceedings would violate the fundamental rights of the petitioners under Articles 14 and 21 of the Constitution of India. The learned counsel for the petitioners further contended that omnibus allegations, unexplained delay, absence of investigation progress, and lack of specific accusations squarely attract the principles laid down by the Hon'ble Supreme Court for quashing of criminal proceedings.

11. The learned Additional Public Prosecutor appearing for the respondent police submitted that the allegations in the FIR disclose commission of cognizable offences and that the investigation could not be completed due to the complexity of the situation prevailing



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during the Sterlite agitation. It was contended that the matter requires thorough investigation and that the FIR should not be quashed at the threshold.

Point for consideration:

12. The point that arises for consideration is whether the continuation of the proceedings in Crime No.158 of 2018 against the petitioners would amount to abuse of the process of law, warranting interference by this Court under Section 482 Cr.P.C.?

Analysis:

13. This Court has carefully considered the rival submissions and perused the materials placed on record.

14. A bare reading of the FIR reveals that the *de facto* complainant admittedly does not know the accused persons and that the complaint speaks of “accused Nos.1 to 45 and other unknown persons”, without assigning any specific role to any individual. It is well settled that criminal law cannot be set into motion on vague,



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omnibus and sweeping allegations, particularly when identity itself is uncertain.

15. The FIR was registered belatedly on 26.05.2018, whereas the alleged occurrence is said to have taken place on 22.05.2018. The delay has not been satisfactorily explained and assumes significance in the facts of the present case. More importantly, even after a lapse of more than six years, no final report or charge sheet has been filed. This prolonged inaction on the part of the investigating agency clearly demonstrates that there is no material worth proceeding further.

16. This Court cannot lose sight of the fact that during the Sterlite agitation, several FIRs were registered indiscriminately, and many such cases have been subsequently quashed by this Court, including by the Division Bench in W.P.No.3609 of 2021 dated 21.09.2021. The inherent power of this Court is meant to prevent abuse of the process of law and to secure the ends of justice. Permitting the present FIR to linger indefinitely would cause serious prejudice, mental agony and irreparable injury to the petitioners. The



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continuation of the proceedings, in the absence of any concrete material, would serve no useful purpose and would only result in harassment of the petitioners.

17. For all the foregoing reasons, this Court is of the considered view that the impugned FIR in Crime No.158 of 2018 is unsustainable in law and continuation of the same would amount to abuse of the process of law.

18. In the result, the Criminal Original Petition is allowed. The proceedings in Crime No.158 of 2018 on the file of the respondent police are hereby quashed. Consequently, the connected miscellaneous petition is closed.

09.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml



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1. The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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