

CrI.O.P.(MD)No.13812 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.08.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.13812 of 2025
and CrI.M.P.(MD)Nos.11031 and 11032 of 2025

Kumaresan

... Petitioner

versus

1. The State of Tamilnadu, rep. by
The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.

2. Belicks Raj,
Village Administrative Officer,
Thekkattur,
Thirumayam Taluk,
Pudukkottai District.

... Respondents

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records pertaining to Charge Sheet in S.T.C.No. 359 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Thirumayam and quash teh same as illegal asfaras the petitioner is concerned.

For Petitioner	: Mr.G.Mathavan
For R1	: Mr.A.S.Abul Kalaam Azad, Government Advocate (CrI. Side)



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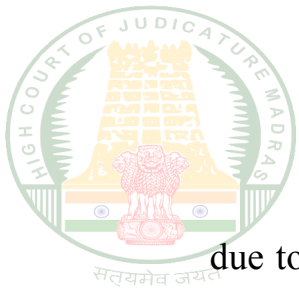
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ORDER

The petitioner is the accused No.6 in S.T.C.No.359 of 2024 on the file of the learned District Munsif cum Judicial Magistrate, Thirumayam. He is facing charges for the offences under Sections 341, 143 and 283 of IPC. Now, the petitioner has moved this petition to quash the proceedings in STC No.359 of 2024 pending against him.

2. The case of the prosecution is that on 13.04.2024, the petitioner along with other accused unlawfully assembled and conducted a protest in the public road and thereby, disturbed the public by creating traffic jam.

3. The learned counsel appearing for the petitioner submits that in fact, the petitioner has conducted the protest for condemning the inclusion of villages into Pudukkottai Corporation and there is no criminal intention in the alleged protest. He further submits that the respondent Police, in order to invoke Sections 341 and 283 IPC, has to establish that the obstruction was caused to any person in the public way



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due to the alleged assembly. But, there is no material to prove the same and therefore, the offences under Sections 341 and 283 IPC would not be attracted. He further submits that in the FIR, there was no intention and no criminal force. Hence, the offence under Section 143 IPC also would not be attracted. He further submits that the petitioner is a social activist and doing several social services in order to help the needed person in his locality. However, by using this criminal case, the respondent Police is trying to open a history sheet as against the petitioner.

4. Though the petitioner has raised several grounds, this Court is of the opinion that the grounds raised by the petitioner can be appreciated only during the trial. Therefore, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all these grounds before the trial Court during trial. Consequently, connected miscellaneous petitions are closed.

20.08.2025

Index : Yes / No.
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B.PUGALENDHI, J.

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To

1. The learned District Munsif cum Judicial Magistrate,
Thirumayam.
2. The Inspector of Police,
Namanasamuthiram Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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