



Crl.O.P.(MD)No.14882 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14882 of 2025

and

Crl.M.P(MD) No.12104 of 2025

Kalayanasundaram

... Petitioner

Vs.

1.The State of Tamilnadu,
represented by the Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi.
(Crime No.224 of 2018).

...1st Respondent/Complainant

2.Renius Jesupatham,
Working as Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi.

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the FIR in Crime No.224 of 2018 on the file of the 1st respondent Police and quash the same as illegal as against the petitioner / Accused No.26 concerned.

For Petitioner : Mr.M.Prabu

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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This petition has been filed to quash the FIR in Crime No.224 of 2018 on the file of the first respondent for the alleged offences under Section 143, 188 of IPC.

2. The allegation in the FIR is that the petitioner and others about 170 members had illegally participated in a protest, obstructed the traffic caused inconvenience to the general public and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that though the FIR was registered on 09.07.2018, the first respondent has not taken any steps to conduct investigation and file the final report before the concerned Court so far; that the allegations in any case would not constitute the offences under Sections 143 and 188 of IPC and he relied upon the judgment of this Court in the case of *Jeevanandhan and others Vs. State rep. by Inspector of Police, Velayuthampalayam Police Station, Karur District and another* reported in *2018(2) L.W (Crl.) 606*.



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4. The learned Additional Public Prosecutor, on instructions, would submit that investigation is completed and Final Report is also filed, which is not yet taken on file by the concerned Court. Further, the allegation against the petitioner is that the petitioner and others have participated in the protest with regard to certain demands made by them as Government servants, obstructed traffic and caused inconvenience to the general public.

5. The allegation made in the FIR, even if it is accepted as true, it does not constitute any of the offences alleged. The observations made by this Court in the case of *Jeevanandhan's case* cited supra would squarely apply to the instant case.

6. In view of the above, the impugned FIR in Crime No.224 of 2018 on the file of the first respondent, dated 09.07.2018 and the consequential Final Report, which is yet to be taken on file, cannot be sustained and is accordingly quashed. Hence, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

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

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- 1.The learned Judicial Magistrate No.II,
Thoothukudi.
- 2.The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi.
- 3.Mr.Renius Jesupatham,
Working as Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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