



Crl.O.P.(MD)No.18740of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.18740 of 2025

and

Crl.MP(MD).No.15531 of 2025

Rajamathan

... Petitioner / Accused No.14

Vs.

1.State of Tamilnadu,
Rep through its
Inspector of Police,
Thirupparankundram Police Station,
Madurai District.
in Crime No.624 of 2023.

... Respondent / Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the First Information Report in Crime No.624 of 2023 on the file of the respondent Police and quash the same in so far as the petitioners are concerned.

For Petitioners : Mr.Niranjana S.Kumar

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)



Crl.O.P.(MD)No.18740of 2025

ORDER

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The petitioner seeks to quash the First Information Report in Crime No.624 of 2023 on the file of the respondent Police, registered for the offences punishable under Sections 143, 341 and 290 of IPC.

2. The allegation in the impugned FIR is that the petitioner, along with others, indulged in a protest without valid permission and caused nuisance and disturbance to the general public, besides causing obstruction to traffic.

3. The learned counsel for the petitioner would submit that the petitioner, along with others, was exercising his right to assemble peacefully, which could not, by any stretch of imagination, constitute the offences alleged. He would rely upon the judgment of this Court in the case of ***Jeevanandham and others vs. State rep. by Inspector of Police, Velayuthampalayam Police Station, Karur District and another***, reported in ***2018 SCC OnLine Mad 13698*** in support of his submissions.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, per contra, would submit that the petitioner, along with others, participated in an unauthorized protest and caused obstruction to traffic, besides



causing nuisance and disturbance to the general public; and therefore, the impugned FIR is justified. He would further submit that the final report has been filed through e-filing, which is yet to be taken on file by the concerned Court.

5. Admittedly, the petitioner, along with others, participated in a protest. The question is whether such an act would constitute the offences alleged by the prosecution.

6. In the case of **Jeevanandham**, referred to supra, which related to a protest without valid permission and when the accused had filed quash petition of the final report filed for the offences under Sections 143 and 341 of IPC, this Court had held as follows:

"42. In all the cases, the assembly of persons were expressing dissatisfaction on the governance and claiming for minimum rights that are guaranteed to an ordinary citizen. If such an assembly of persons are to be trifled by registering an FIR under Section 143 of IPC and filing a Final Report for the very same offence, no democratic dissent can ever be shown by the citizens and such prohibition will amount to violation of fundamental rights guaranteed under the Constitution. A reading of the Final Report also does not make out an offence under Section 341 of IPC since any form of an agitation, will necessarily cause some hindrance to the movement of the general public for sometime. That by itself, does not constitute an offence of a wrongful restraint. "



Crl.O.P.(MD)No.18740of 2025

7. The above observations of this Court would squarely apply to the facts of the instant case. Further, there is nothing to indicate that the petitioner intended to cause public nuisance. Hence, the offence under Section 290 of IPC would not be made out and no useful purpose would be served in continuing the prosecution.

8. Considering the fact that though the final report has been filed, which is yet to be taken on file and the allegation does not constitute any of the offences, this Court is of the view that the impugned FIR in Crime No.624 of 2023 and the consequential final report are liable to be quashed and are accordingly quashed.

9. In the result, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petitions are closed.

28.10.2025

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

Indu



Crl.O.P.(MD)No.18740of 2025

To

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



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Crl.O.P.(MD)No.18740of 2025

SUNDER MOHAN, J.

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Crl.O.P(MD).No.18740 of 2025

28.10.2025