



Crl.O.P.(MD)No.18489 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.18489 of 2025

and

Crl.M.P.(MD)Nos.15261 and 15263 of 2025

- 1.Fayaz Ahamed
- 2.Baseer Ahamed @ Pasir Ahamed
- 3.Kan.Ilango
- 4.Vengalam Rasu @ Raju
- 5.Rajapandi
- 6.Vinoth Kumar
- 7.Ilakkiya
- 8.Sivakumar
- 9.Ilaiyaraja
- 10.Kumaran @ Kumaravel
- 11.Jashdin Valanarasu
- 12.Periyasamy
- 13.Nagarajan



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14.Balakrishnan

15.Sethupathi

16.Anathu

17.Rajendaran

... Petitioners Nos.1 to 17/Accused Nos.1 to 17

18.Sathish @ Satheehking

19.Sakthivel

20.Muniyasamy

21.Selvakumar

22.Arumugam

23.Gopal

24.Jeyakumar

25.Muruganantham

26.Murugan @ K.Senthil Murugan

27.Sethupandi

28.Palanisamy

29.Sanmugaraj

30.Murugesan

31.Ramalakshmi

32.Lakshmi

... Petitioners Nos.18 to 32/Accused Nos.19 to 33

Vs.



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1.The State of Tamil Nadu, rep. by,
The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
(Crime No.7 of 2023)

...1st Respondent/Complainant

2.M.Ramesh,
Sub-Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.

...2nd Respondent/Defacto-
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned charge sheet in S.T.C.No.30 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Kadaladi in Crime No.7 of 2023, dated 22.01.2023, on the file of the Respondent No.1 for the alleged offences under Sections 143 and 341 of IPC and quash the same as illegal.

For Petitioners : Mr.T.Thirumurugan

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

ORDER

The petitioners seek to quash the charge sheet in S.T.C.No.30 of 2025 on the file of the District Munsif Cum Judicial Magistrate, Kadaladi, which has been filed for the offences punishable under Sections 143 and 341 of IPC, as against the Petitioners.



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

3. The learned counsel for the petitioners would submit that the petitioners, along with others, were 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 Additional Public Prosecutor appearing for the first respondent, per contra, would submit that the petitioners, along with others, participated in an unauthorized protest and caused obstruction to traffic, besides causing disturbance to the general public; and therefore, the impugned final report is justified.



5. Admittedly, the petitioners, 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. "

7. The above observations of this Court would squarely apply to the facts of the instant case. Further, no useful purpose would be served in continuing the prosecution.



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8. Since the allegation does not constitute any of the offences, this Court is of the view that the impugned final report in S.T.C.No.30 of 2025 is liable to be quashed and is 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

To:

- 1.The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
- 2.The Sub-Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu

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