



Crl.O.P.(MD)No.19724 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19724 of 2025

and

CRL.MP(MD). No.16540 and 16541 of 2025

1. M.Sundarathai
2. M.Subbulakshmi
3. P.Mariammal
4. K.Chinnathai
5. M.Rajalakshmi
6. V.Chinnathai
7. C.Valliyammal
8. M.Pappa @ Azhagulakshmi
9. K.Valliammal
10. V.Sanmugathai
11. A.Velammal
12. A.Sivaperiya
13. K.Vijaya
14. V.Sanmugarani



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15. Gangaperiya

16. Pothumponnu

17. Mahesh

18. Mariammal

19. Lakshmi

20. Ponnuthai

... Petitioners / Accused 1-20

-Vs-

1.State of Tamilnadu Rep by
Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.
Crime No.11/2025.

... 1st Respondent / Complainant

2.R.Rajeshkumar,
Sub Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.

... 2nd Respondent / Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., To call for the records in S.T.C.No.2596 of 2025 on the file of the Judicial Magistrate Court, Sankarankovil and quash the same.

For Petitioners : Mr.S.Kasirajan
Advocate

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



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ORDER

WEB COPY This Criminal Original Petition has been filed to quash the impugned final report in S.T.C.No.2596 of 2025 on the file of the Judicial Magistrate Court, Sankarankovil, which was filed for the offences under Section 189(2), 126(2) and 285 of BNS (corresponding to Section 143, 341 and 283 of IPC).

2. The allegation in the final report is that the petitioners, 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 petitioners would submit that the petitioners 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 respondent, per contra, would submit that the petitioners participated in an



unauthorized protest and caused obstruction to traffic, besides causing nuisance and disturbance to the general public; and therefore, the impugned final report is justified.

5. Admittedly, the petitioners 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. "



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7. The above observations of this Court would squarely apply to the facts of the instant case. Further, there is nothing to suggest the commission of an offence under Section 283 of the IPC. Even otherwise, the alleged acts caused only slight harm and the offence itself is punishable with the fine of Rs.200/-. No useful purpose would be served by continuing the prosecution.

8. Hence, this Court is of the view that the impugned final report in S.T.C.No.2596 of 2025 on the file of the Judicial Magistrate Court, Sankarankovil, 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.

11.11.2025

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

Indu

To

1.The Inspector of Police,
Kuruvikulam Police Station,

5/7



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Tenkasi District.

2. The Sub Inspector of Police,
Kuruvikulam Police Station,
Tenkasi 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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