



Crl.O.P.(MD)No.20263 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.20263 of 2025

and

Crl.M.P.(MD).No.17143 of 2025

1.Subbaiah

2.Bharathiraja

3.Rengan

4.Petchimuthu

5.Chandran

6.Muthukumar

... Petitioners / Accused 1 to 6

Vs.

1.The State rep. by,
The Inspector of Police,
Thisayanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.
(In Crime No.627/2025)

... 1st Respondent / Complainant

2.F.Anto Pradeep,
Sub Inspector of Police,
Thisaiyanvilai Police Station,
Thisaiyanvilai,
Tirunelveli District.

... 2nd Respondent/ Defacto Complainant



Crl.O.P.(MD)No.20263 of 2025

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records relating to the proceedings in Crime No.627 of 2025 on the file of the 1st respondent for the punishable U/s 189(2) and 293 BNS corresponding sections 143 and 291 of IPC in so far as the petitioners herein and quash the same as illegal.

For Petitioners : Mr.V.Selvakumar

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to quash the impugned FIR in Crime No.627 of 2025 on the file of the first respondent, which was registered for the offences under Section 189(2) and 293 of BNS (corresponding to Section 143 and 291 of IPC).

2. The gist of the allegations in the FIR is that the petitioners had conducted a programme in the Village beyond the stipulated period and therefore caused nuisance to the public.

3. The learned counsel for the petitioners would submit that there is no allegation that the petitioners had assembled unlawfully; that therefore, the



Crl.O.P.(MD)No.20263 of 2025

offence under Section 189(2) of BNS (corresponding to Section 143 of IPC) would not be made out; that there was no specific injunction order passed by any public authority and therefore, the offence under Section 293 of BNS (corresponding to Section 291 of IPC) would not be made out.

4. Heard the learned Additional Public Prosecutor appearing for the first respondent.

5. It is seen from the impugned FIR that there is no allegation to suggest that the petitioners had assembled unlawfully and their common object was to commit any of the acts provided in Section 189 of BNS (Section 141 of IPC). The petitioners had only assembled to conduct a programme. Therefore, the offence under Section 189(2) of BNS (corresponding to Section 143 IPC) would not be made out. It is also seen that there was no specific injunction order passed by any public authority and therefore, the offence under Section 293 of BNS (corresponding to Section 291 of IPC) would not be made out. Hence, the impugned FIR in Crime No.627 of 2025 is liable to be quashed and hence quashed.



Crl.O.P.(MD)No.20263 of 2025

6. Accordingly, the Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

17.11.2025

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

To

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



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Crl.O.P.(MD)No.20263 of 2025

SUNDER MOHAN, J.

Lm

Crl.O.P(MD).No.20263 of 2025

17.11.2025