



CRL OP(MD). No.20432 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.11.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.20432 of 2025

and

CrI.M.P.(MD)Nos.17286 & 17287 of 2025

V.Maharajan,

... Petitioner

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Thirunagar Police Station,
Madurai District.
Crime No.64 of 2019.

2. Rajamani,

... Respondents

PRAYER :- This Petition is filed under section 528 BNSS, to call for the entire records pertaining to the case in C.C.No.911 of 2025 on the file of the Judicial Magistrate No.VI, Madurai District and quash the same as against the petitioner.

For Petitioner : Mr.Anand R.,

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor for R1



CRL OP(MD). No.20432 of 2025

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ORDER

The petitioner has sought for quashing of the impugned final report filed for the alleged offence under Sections 143, 341 and 353 I.P.C.

2. The allegation against the petitioner is that he was a State President of a political party and the petitioner and others conducted protest without any permission and obstructed the traffic.

3. The learned counsel for the petitioner would submit that the gist of the allegations against the petitioner and others is that they held a demonstration without obtaining permission and causing traffic obstruction; and that their right to protest cannot be termed as causing wrongful restraint or unlawful assembly, and therefore, the impugned prosecution is liable to be quashed. He would rely upon the judgment of this Court in *Jeevanandham and others vs. State rep. by Inspector of Police, Velayuthampalayam Police Station, Karur District and another*, reported in *2018-2-L.W.(Crl.) 606*.



CRL OP(MD). No.20432 of 2025

criminal force are absent in the allegations. As regards the offences under Sections 143, 341 I.P.C are concerned, this Court, in similar circumstances in the case of Jeevanandham and others vs. State rep. by Inspector of Police, Velayuthampalayam Police Station, Karur District and another, dated 20.09.2018, rendered in Crl.O.P.(MD) No.1356 of 2018, etc., batch, held as follows:-

Crl.O.P.(MD) Nos. 12684, 15710 and 15709 of 2018

41....

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 Cr.P.C. 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 OP(MD), No.20432 of 2025

7. The above observations squarely apply to the facts of the present case. Hence, this Court is of the view that no useful purpose would be served in keeping the final report pending.

8. Accordingly, the impugned final report is hereby quashed and this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petitions are closed.

18.11.2025

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

1. The Judicial Magistrate No.VI,
Madurai District.
- 2.The Inspector of Police,
Thirunagar Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



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CRL OP(MD). No.20432 of 2025

SUNDER MOHAN,J

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CRL OP(MD) No.20432 of 2025

18.11.2025