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CRL.O.P.No.7089 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.7089 of 2026 and
CrI.M.P.No.5142 of 2026

1.Anandhavel
2.Valli
3.Vasandharaman
4.Rajendian
5.Pandiyan
6.Deivamani
7.Sangamithirai
8.Selvamani
9.Ramanujam

... Petitioners

vs.

State, represented by
The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.
(Crime No.122 of 2024).

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records relating to the quash of STC.No.1025 of 2025 in Crime No.112 of 2024 on the file of Judicial Magistrate No.I, Panruti, Cuddalore District and quash the same as against the petitioners.



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For Petitioners : Mr.P.Praveen Kumar
For Respondent : Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

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ORDER

The petitioners, who are facing trial before the learned Judicial Magistrate No.I, Panruti in STC.No.1025 of 2025 for offence under Sections 143 & 341 IPC, have filed the Quash Petition.

2.Gist of the case is that when the Police personnel attached to the respondent Police Station were on duty in connection with the death of Rajkumar in a road accident in Keezhakollai village, at 10.55 a.m. on 27.05.2024 the petitioners assembled in front of the house of Rajendran (Father of Rajkumar), Keezhakollai on Vikravandi-Kumbakonam road without any permission and blocked the road with an intention of creating a law and order problem at the place by demanding a government job for the wife of Rajkumar who died in the road accident. Despite the Police personnel warned the petitioners to disperse, they refused to do so. Hence, the FIR in Crime No.122 of 2024 registered for offence under Sections 143 & 341 IPC against the petitioners. On completion of



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investigation, charge sheet filed before the trial Court listing LW1 to LW4 and documents and STC.No.1025 of 2025 assigned.

3.Learned counsel for the petitioners submitted the allegations in the final report do not constitute the offences under Sections 143 & 341 IPC. The petitioners assembled on 27.05.2024 near Keezhakollai village only to express their grievance and demand compassionate consideration for providing employment to the wife of the deceased Rajkumar, who had lost his life in a road accident. He further submitted that there is absolutely no material to indicate that the petitioners had any common intention to commit an offence or to create a law and order problem as alleged. Further, the allegation of wrongful restraint is wholly unsustainable since there is no specific material to show that any particular individual was prevented from the lawful right. In this case, LW1 to LW4 are all public servants and no private person was examined and cited as witness during investigation. It is highly improbable that no public witness was present in the place of occurrence and no reason has been given for non examination of public witnesses.



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4.The learned counsel for the petitioners submitted that there is nothing to show that on the date of occurrence, there was any prohibitory order in force and whether that order was communicated in the prescribed manner is also not known. The learned counsel further submitted that this Court in the cases of “*Madhan Mohan Versus The State and another in Crl.O.P.Nos.23129 & 23127 of 2019*” on the similar grounds, quashed the proceedings against the accused. Further, in the case of “*Jeevanandham and others Vs. State Rep. by Inspector of Police and another* reported in (2018) 2 LW Crl. 606”, had given an authoritative pronouncement regarding the cases similar in nature to be registered and investigated, which is violated in this case.

5.The learned counsel for the petitioners further submitted that the petitioners raised slogans and demanded a Government job for the wife of Rajkumar who died in the road accident, which cannot be construed as unlawful act. Right to Dissent is the Hallmark of Democracy, the petitioners only expressed their displeasure which is their fundamental right. Hence, he prayed for quashing of the proceedings against the petitioners.



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6.The learned Additional Public Prosecutor appearing for the respondent Police submitted that on 27.05.2024 at 10.55 a.m. the petitioners assembled in front of the house of Rajendran (Father of Rajkumar), Keezhakollai on Vikravandi-Kumbakonam road without any permission and blocked the road with an intention of creating a law and order problem at the place by demanding a government job for the wife of Rajkumar who died in the road accident. Timely intervention of the respondent Police, further law and problem were averted. The petitioners without getting permission from the authorities concerned have formed themselves into an unlawful assembly restrained the others and caused public disturbance. On completion of investigation, charge sheet has been filed in this case.

7.Considering the rival submissions and on perusal of the materials, it is seen that the petitioners have only raised their objection demanding a Government job for the wife of one Rajkumar who lost his life in a road accident. Raising slogans against the Government itself would not amount to any commission of offence, which is a fundamental right under Constitution of India. From the statement of the witnesses, it



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is seen that LW1 to LW4 present in the scene of occurrence and according to them, the petitioners raised their objection demanding a Government job for the wife of one Rajkumar who lost his life in a road accident, they did not do anything more. Admittedly in this case, the occurrence had taken place in the public place and view, no public or independent witness examined by the prosecution, which causes serious doubt on the veracity of the complaint. This Court in the case of “***Jeevanandham and others Vs. State Rep. by Inspector of Police and another reported in (2018) 2 LW Crl. 606***” had clearly held that the right to protest to be safeguarded and not to be termed as criminal offence. In this case, there is no material to show that there was any promulgation of prohibitory orders which was communicated to the public and there was any disobedience by the petitioners. Further, in consequence to the protest, the prosecution failed to show whether any trouble occurred. The respondent Police failed to follow the guidelines issued by this Court in ***Jeevanandham*** (Cited Supra). In several this type of cases, this Court quashed the investigation against the accused on similar ground. In these circumstances, the continuation of trial for offence under Sections 143 & 341 IPC is wholly unsustainable and constitutes a clear abuse of the



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process of law, warranting interference of this Court.

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8.In the result, the proceedings in STC.No.1025 of 2025 on the file of the Judicial Magistrate No.I, Panruti is hereby quashed against the petitioners. This Criminal Original Petition is allowed accordingly. Consequently, the connected Criminal Miscellaneous Petition is closed.

23.03.2026

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
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To

- 1.The Judicial Magistrate No.I,
Panruti.
- 2.The Inspector of Police,
Muthandikuppam Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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