



WEB COPY



CRL OP No. 9236 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9236 of 2026

Salamon @ Solomon
S/o. Munusamy,
No.423, Small Street,
Narasingapuram,
Thiruvallur District.
Tamil Nadu - 631 402.

..Petitioner(s)

Vs

1. State Rep.by. The Inspector of Police,
P-6, Mappedu Police Station,
Thiruvallur District.
2. R.Guna
S/o. Rajagopal,
Village Administrative Officer,
Thiruvallur Taluk.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of BNSS, praying to call for the entire records pertaining to Crime No.228 of 2019 dated 11.07.2019 on the file of the 1st respondent police and quash the same.

For Petitioner(s):

Mr.S.M.Raghu Ram

For Respondent-1:

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor



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ORDER

The present Criminal Original Petition has been filed seeking to quash the F.I.R. in Crime No.228 of 2019 dated 11.07.2019 on the file of the first respondent police.

2. The case of the prosecution is that on 11.07.2019, at about 07.15 a.m., the respondent police received information that a group of villagers from Narasingapuram engaged in a road blockade near Narasingapuram Bus Stand on the Poonamallee-Arakkonam Highway, protesting against acute drinking water scarcity. The concerned officials arrived at the spot and held talks with the protesting public. Upon assurance given by the officials to provide necessary drinking water facilities, the majority of the public dispersed peacefully. But the petitioner along with 28 others continued the protest. Hence, a case in Crime No.228 of 2019 registered by the first respondent Police for the offences under Sections 145, 188 and 341 of I.P.C.

3. The learned counsel for the petitioners submitted that from the facts of the instant case it is clear, no public lodged any complaint of any disturbance.



Further the alleged act was only a peaceful protest expressing a genuine grievance relating to basic necessity of drinking water, which is protected under the fundamental right guaranteed by the Constitution of India. There is no order produced to show whether there was any restriction. The points raised by the petitioners are similar to the facts of the cases in ***Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed for non compliance of procedures. Hence, he prayed to quash the proceedings pending against the petitioners.

4. The learned Additional Public Prosecutor appearing for the first respondent Police confirmed, there is no complaint from any public and no materials available to show, on the day of protest, there was any proclamation imposing restrictions of assembly.

5. Heard the learned counsel appearing on either side and perused the materials available on record.



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6. It is seen, no public lodged any complaint of any disturbance, further there is nothing to show whether any prohibitory order was in force, and proclamation issued following the procedures. Showing protest is a democratic right, guaranteed under Constitution. Therefore, the FIR cannot be sustained and it is liable to be quashed.

7. Accordingly, the Criminal Original Petition stands allowed and the F.I.R. in Crime No.228 of 2019, pending on the file of the first respondent police, is quashed as against the petitioners. The petitioners are discharged from all charges.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
RSI



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To

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1. The Inspector of Police,
P6, Mappedu Police Station,
Thiruvallur District.
2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

RSI

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