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CRL OP No. 9479 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9479 of 2026

1. Bellan
S/o Lingam,
9/129, Athigaratty, Coonoor,
The Nilgiris -643 203.
2. Sivanandhan
S/o Raman,
8/241, Athigaratty, Coonoor,
The Nilgiris -643 203
3. Mani
S/o Bellan
7/22-4A, Athigaratty, Coonoor,
The Nilgiris -643 203
4. Manoharan
S/o Joghee,
7/21-30Q, Athigaratty, Coonoor,
The Nilgiris -643 203
5. Chandran
S/o Joghee,
7/177, Athigaratty, Coonoor,
The Nilgiris -643 203
6. Muruges
S/o Ramachandran,
8/231, Sundathorai, Athigaratty, Coonoor,
The Nilgiris -643 203



CRL OP No. 9479 of 2026

7. Sivakumar
S/o Beeman,
8/149, Sundathorai, Athigaratty, Coonoor,
The Nilgiris -643 203
8. Ramakrishnan
S/o Raman,
9/177, Athigaratty, Coonoor,
The Nilgiris -643 203
9. Rajendran
S/o Bojan,
8/318, Athigaratty, Coonoor,
The Nilgiris -643 203
10. Ramesh
S/o Bojan,
257, Athigaratty, Coonoor,
The Nilgiris -643 203
11. Sadhasivan
S/o Pettan,
257, Athigaratty, Coonoor,
The Nilgiris -643 203
12. Chandran
S/o Joghee,
8/289, Odeal Street, Athigaratty, Coonoor,
The Nilgiris -643 203
13. Gundan
S/o Nanjan,
8/231 Athigaratty, Coonoor,
The Nilgiris -643 203
14. Rajamani
S/o Eswaran,
7/69-1A, Athigaratty, Coonoor,
The Nilgiris -643 203



CRL OP No. 9479 of 2026

15.Janarthanan

S/o A.K.Nandhi,
7/217, Athigaratty, Coonoor,
The Nilgiris -643 203

..Petitioner(s)/A6 to A20

Vs

1. The State rep by
The Inspector of Police,
Lovedale Police Station,
The Nilgiris.
2. Rameshponnan
Special Sub-Inspector of Police,
Lovedale Police Station,
The Nilgiris.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023 praying to call for the records in S.T.C.No.10 of 2026, pending on the file of the Judicial Magistrate, Coonoor and to quash the same as far as the petitioners are concerned.

For Petitioner(s): Mr.K.Balasubramaniam

For Respondent-1: Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in S.T.C. No.10 of 2026, pending on the file of Judicial Magistrate Court, Coonoor.



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2. The case of the prosecution is that on 16.10.2025, at about 09.00 a.m., the petitioners along with others, unlawfully assembled at Adikaratti Bazaar and obstructed a Government bus plying from Adikaratti to Muttinadu and protested by raising slogans against changing the timings of bus, without permission from the authorities, thereby causing disturbance to the public. Hence, a case in Crime No.40 of 2025 registered by the first respondent Police for the offences under Sections 189(2) and 126(2) of BNS, 2023. After completion of investigation, the final report filed and the same has been taken cognizance in S.T.C.No.10 of 2025 for offence under Sections 189(2) and 126(2) of BNS, 2023, on the file of Judicial Magistrate Court, Coonoor.

3. The learned counsel appearing for the petitioners submitted that from the facts of the instant case it is clear, no complaint lodged by any general public and there is no disturbance caused to the public. Showing protest is a democratic right, further the petitioners along with others took protest in a peaceful manner and no criminal force used either by the petitioners or by any of the members of the group, only showed their protest in a democratic way, which is permitted. 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 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. 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.



CRL OP No. 9479 of 2026

WEB COPY

6. In view of the above, this Court is of the opinion that the above facts and decisions would apply in all fours to the present case and that no useful purpose will be served by keeping the proceedings pending and is liable to be quashed.

7. Accordingly, the Criminal Original Petition stands allowed and the proceedings in S.T.C. No.10 of 2026 pending on the file of Judicial Magistrate Court, Coonoor, is hereby quashed in entirety.

16-04-2026

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



CRL OP No. 9479 of 2026

To

1. The Judicial Magistrate,
Coonoor.
2. The Inspector of Police,
Lovedale Police Station,
The Nilgiris.
3. The Public Prosecutor,
High Court, Madras.



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CRL OP No. 9479 of 2026

M.NIRMAL KUMAR, J.

RSI

CRL OP No. 9479 of 2026

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