



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14077 of 2026

Salamon S/o. Munusamy,
No.423 Small Street,
Narasingapuram,
Thiruvallur District,
Tamilnadu - 631 402.

..Petitioner(s)

Vs

1. State Rep. by Inspector of Police
C-1, Sriperumbudur Police Station,
Kancheepuram District.
2. P. Kumar
Village Administrative Officer,
Sriperumbudur Taluk.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS, 2023 to call for the entire records pertaining to Cr.No.1334 of 2021 dated on 24.11.2021 on the file of the 1st respondent police and quash the same and pass such further or other suitable order or orders as this Honble Court may deems fit and proper in the circumstances of the case.

For Petitioner(s):

Mr.P. Santhosh Kumar

For Respondent(s):

Mr.A. AMARNATH
Govt. Advocate (Crl.side)
for R1



ORDER

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The petitioner/named accused along with one Santhosh and 50 men and 50 women unnamed accused in Crime No.1334 of 2021 for offences under Sections 147, 188, 353, 270 of IPC and 51(b) of the Disaster Management Act, 2005 had filed this quash petition.

2.The gist of the prosecution is that on 24.11.2021, the VAO found the petitioner and others near Sriperumpudhur Bus Stand squatting on the main road leading to Thiruvallur. They claimed to belong to an association in the name of Ambedkhar Pothuvudamai Munnani and the petitioner was leading the protest. The petitioner along with Santhosh, mobilised 100 persons and staged a protest against the Panchayat President of Palnellur to arrest him. The police personnel , namely Arul, Baskar, Raja went there and requested them to disperse and also informed that during the period of Corona, the petitioner and others assembled not following the social distancing and they are precipitating and activating the spread of corona. Hence, the complaint has been lodged.

3.The contention of the petitioner is that the petitioner and others were only exercising their democratic right to protest against the panchayat president, who was swindling the public money and not providing the benefits intended to the Villagers. The petitioners were keeping proper social distance and there is

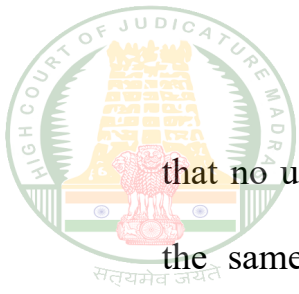


no complaint that they caused any obstruction to the public. Further, there is no report to show that due to the assembly of the petitioner and others, there was spread of corona.

4.It is his further submission that the facts of the instant case 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 No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. Hence, he prayed to quash the criminal proceedings.

5.The learned Govt. Advocate (Crl.side) appearing for the first respondent Police submitted that the present case was registered due to the protest conducted in violation of the Government Order during Covid-19 pandemic. He also endorsed the submission of the learned counsel for the petitioner that the facts of the instant case are akin to the facts in the aforesaid two cases.

6.Having heard the learned counsel appearing on either side and upon perusal of the entire materials available on record, this Court is of the opinion that the above said decisions would apply on all fours to the present case and



that no useful purpose will be served by keeping the proceedings pending and the same is liable to be quashed, accordingly, quashed the FIR in Crime No.1334 of 2021 not only against the petitioner but also all other accused.

7.In view of the above, the criminal original petition is allowed.

03-06-2026

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

To

1. The Inspector of Police
C-1, Sriperumbudur Police Station,
Kancheepuram District.
2. The Public Prosecutor
High Court, Madras.



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M.NIRMAL KUMAR, J.

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