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CRL OP No. 15758 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15758 of 2026

K.G.P.Gananamoorthy

..Petitioner(s)

Vs

1.The State Rep.by,
The Inspector of Police,
Thirunavalur Police Station,
Villupuram District.
(Crime No.582 of 2019).

2.The Sub Inspector of Police,
Thirunavalur Police Station,
Villupuram District.
(Crime No.582 of 2019).

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, 2023 praying to call for the records in connection with S.T.C. No.71 of 2026 dated 27.12.2019 on the file of the learned Judicial Magistrate No.II, Ulundurpet, Kallakurichi District and quash the same by allowing this Criminal Original Petition.

For Petitioners : Mr.S.Saravanakumar

For Respondent(s): Mr.A.Amarnath
Counsel for Government of Tamil Nadu



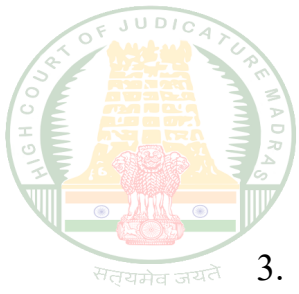
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ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in S.T.C. No.71 of 2026, pending on the file of Judicial Magistrate No.II, Ulundurpet, Kallakurichi District.

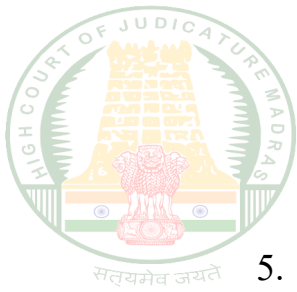
2.The case of the prosecution is that the petitioner is a resident of Karuvepilai Palayam Village, Villupuram District. In the year 2019, upon the bifurcation of Villupuram District and the formation of Kallakurichi District, the villagers protested against the non-inclusion of their village in the newly formed district. On 23.12.2019, at about 9.45 a.m., the villagers allegedly staged a road blockade, obstructing public movement and transport. When the police arrived at the spot and questioned them, the accused, including the petitioner, allegedly assembled unlawfully, abused the police in filthy language, criminally intimidated them, and prevented them from discharging their official duties. Consequently, a case was registered in Crime No.582 of 2019. Upon completion of the investigation, a final report was filed and taken on file in S.T.C. No.71 of 2026 by the learned Judicial Magistrate No.II, Ulundurpet, for the offences under Sections 143, 341, 294(b), 353, and 506(i) IPC.



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3. The learned counsel appearing for the petitioner submitted that from the facts of the instant case it is clear, no public lodged any complaint of any disturbance. The admitted position is that all the four listed witnesses are police personnel. Showing protest is a fundamental right, further it is alleged, petitioner was standing in the sides of the road and showing 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 petitioner is 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 petitioner.

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.



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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.

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.71 of 2026 pending on the file of Judicial Magistrate No.II, Ulundurpet, Kallakurichi District, is hereby quashed as against the petitioner and all other accused.

23.06.2026

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



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To

1.The Judicial Magistrate No.II, Ulundurpet,
Kallakurichi District.

2.The Inspector of Police,
Thirunavalur Police Station,
Villupuram District.

3.The Sub Inspector of Police,
Thirunavalur Police Station,
Villupuram District.

4.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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