



WEB COPY

CRL OP No. 41 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 41 of 2026

AND

CRL MP NO. 34 OF 2026

A.N.E.Dakshinamoorthy
S/o. Elumalai,
No.2/505, Akraharam Mettu Street,
Iyyappanthangal, Chennai,
Kancheepuram - 600 056.

..Petitioner(s)

Vs

1. State Rep By The Inspection Of Police
T - 15, SRMC Police Station,
Kancheepuram - 600 116.
Crime No. 497/ 2025

2. Jothiraj
Headmaster, Govt Hr.Sec.School,
Aadithanar Nagar, 1st Main Road,
Iyappanthangal,
Kancheepuram - 600 056.

..Respondent(s)

To call for the records relating to the Crime No.497 of 2025 on the File of the Inspector of Police, T-15, SRMC Police Station, Kancheepuram District and Quash the same by allowing this Criminal Original Petition and pass such further or other orders as this Honble Court as may deem fit and proper in the facts and circumstances of the case.

For Petitioner(s): Mr.D.Vijaya Babu

For Respondent(s): Mr.R.Rajasekaran
Counsel for Government of Tamil Nadu
[Criminal Side]

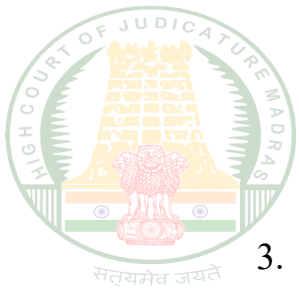


Order

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The petitioner is an accused in Crime No.497 of 2025 registered for the offences punishable under Sections 189(2) and 329(3) of the Bharatiya Nyaya Sanhita, 2023. The allegation against the petitioner is that on 02.10.2025, at about 6.30 a.m., he, along with the former Panchayat President Mr. A.E. Dhakshinamoorthy, Mr. Rajasekar and about 50 others, entered the premises of the Government Higher Secondary School, Iyyapanthangal, without obtaining permission from the authorities, assembled in the playground, hoisted a flag and conducted a religious programme. Since no prior permission had been obtained from the school authorities, the Headmaster lodged a complaint before the respondent police, on the basis of which the present FIR came to be registered.

2. The contention of the petitioner is that he and the other participants, who belong to the RSS organization, had assembled on the occasion of Vijayadasami in the open area of the school premises, which does not have a compound wall, and celebrated the festival amongst them peacefully. The learned counsel for the petitioner submitted that they were merely performing yoga and physical exercises, which have been wrongly projected as acts obstructing the functioning of the school. It is further contended that no disturbance was caused either to the school or to the general public.



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3. The learned Government Counsel submitted that the FIR was registered based on the complaint given by the Headmaster and that the investigation is presently in progress. It was further submitted that the petitioner and others had entered the school playground without obtaining permission from the school authorities and conducted yoga, physical exercises and raised slogans propagating a particular religion. The learned Government Counsel, however, fairly submitted that there was no prohibitory order in force on the relevant date restricting the assembly of persons.

4. Considering the facts and circumstances of the case, and in the absence of any allegation that the assembly caused disturbance to public order or violated any prohibitory order, this Court is of the view that the continuation of the criminal proceedings would serve no useful purpose. Accordingly, the FIR in Crime No.497 of 2025 is quashed and this Criminal Original Petition stands allowed. Consequently, the connected miscellaneous petition is closed. No costs.

24-06-2026

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



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M.NIRMAL KUMAR J.

RKA

To
State Rep By The Inspection Of Police
T - 15, SRMC Police Station,
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