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Crl.O.P. No.36176 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM:

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P. No.36176 of 2025

R.S.Rajesh

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
N-2, Kasimedu Police Station,
Washermenpet, Chennai.
(Crime No.495 of 2024)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the entire records and quash the proceedings as against the petitioner in Crime No.495 of 2024, pending on the file of the respondent Police.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings in Crime No.495 of 2024, pending on the file of the respondent Police.



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2. The case of the prosecution is that on 27.08.2024, the petitioner and others, who belong to a rival political party, without obtaining prior permission from the competent authority, had unlawfully conducted a procession and raised slogan, thereby causing disturbance to the public. Therefore, a case in Crime No.495 of 2024 was registered by the respondent Police for the offences under Sections 189(2), 223(a), 292 of BNS, 2023 and Section 41(6)(a) of the TN City Police Act, 1888.

3. Learned counsel appearing for the petitioner submitted 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(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. Hence, he prayed to quash the proceedings pending against the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the present case was registered due to the protest conducted without obtaining permission. However, he fairly endorsed the submission of the learned counsel for the petitioner that the



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facts of the instant case are akin to the facts in the aforesaid two cases.

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5. 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 hence the same is liable to be quashed.

6. Accordingly, the Criminal Original Petition stands allowed and the First Information Report in Crime No.495 of 2024 on the file of the respondent Police is hereby quashed as against the petitioner.

06.01.2026

Neutral Citation: Yes/No
rpl

To

1. The Inspector of Police,
N-2, Kasimedu Police Station,
Washermenpet, Chennai.
2. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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