



Crl.O.P(MD)No.781 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.781 of 2026

and

Crl.M.P(MD)Nos.787 & 788 of 2026

Dhanasekaran @ Dhanush

... Petitioner/A2

Vs.

1.The State of Tamil Nadu,
Rep.by the Inspector of Police,
Thilagar Thidal Police Station,
Madurai City,
Madurai District.
(Crime No.231/2025)

... Respondent/Complainant

2.Santhanakumar

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the case registered in impugned Charge sheet in S.T.C.No.10894 of 2025 on the file of the Learned Judicial Magistrate No.II, Madurai in connection with Crime No.231 of 2025 on the file of the 1st Respondent police and quash the same insofar as this petitioner is concerned.



WEB COPY



Crl.O.P(MD)No.781 of 2026

For Petitioner : Mr.B.Arun
For R1 : Mr.B.Thanga Aravindh
Government Advocate(crl.side)

ORDER

Seeking to quash the Charge sheet in S.T.C.No.10894 of 2025 on the file of the Learned Judicial Magistrate No.II, Madurai in connection with Crime No.231 of 2025 on the file of the 1st respondent police, this Criminal Original Petition is filed.

2. The allegation in the final report is that the petitioner had erected a banner depicting one Dhanush clad in yellow attire, portrayed in a manner suggestive of incitement to violence, with imagery resembling the shedding of blood and that the said banner was affixed to a wall in a conspicuous manner, rendering the depiction of bloodstains clearly visible.

3. The learned counsel for the petitioner would submit that in order to attract the offence punishable under Section 3A (1) (a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959, the



Crl.O.P(MD)No.781 of 2026

accused must have obstructed the line of vision of any person or the driver of any vehicle using any public place or endangers the safety of such person, driver or vehicle. The final report discloses none. In this case, even the petitioner herein had not pasted poster in the wall. Hence, sought indulgence of this Court.

4. The learned Government Advocate(Crl.side) submitted that the petitioner has bad criminal antecedents as many as four criminal cases are pending against him including a murder case. Hence, he sought for dismissal of this petition.

5. Heard the learned counsel on either side and carefully perused teh materials available on record.

6. Unless the poster obstructs the line of vision of any person or the driver of any vehicle using any public place or endangers the safety of such person, driver or vehicle, the provision of Section 3 (1) (a) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959



Crl.O.P(MD)No.781 of 2026

cannot be invoked. Considering the fact that the poster was not pasted by the petitioner herein, the charge sheet in S.T.C.No.10894 of 2025 on the file of the Learned Judicial Magistrate No.II, Madurai is quashed insofar as the petitioner herein is concerned.

7. Accordingly, this Criminal Original Petition is allowed.
Consequently, the connected Miscellaneous Petitions are closed.

19.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

gbg

To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P(MD)No.781 of 2026

L.VICTORIA GOWRI, J.

gbg

Crl.O.P(MD)No.781 of 2026

19.01.2026