



Crl.O.P(MD)No.2921 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.2921 of 2026

and

Crl.M.P(MD)Nos.3213 & 3216 of 2026

1.Santhana Selvan
2.Chandrasekar
3.Michalejimson
4.Muthukrishnan
5.Johnson
6.Sivahariharan

... Petitioners/A1 - A6

Vs.

1.The State of Tamil Nadu,
Rep.by Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
(Crime No.487/2025)

... Respondent/Complainant

2.S.Murugan

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in S.T.C.No.1450 of 2025 on the file of the Judicial Magistrate Court, Valliyoor and quash the same against the petitioners.



Crl.O.P(MD)No.2921 of 2026

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

ORDER

Seeking quashment of final report in S.T.C.No.1450 of 2025 on the file of the Judicial Magistrate Court, Valliyoor, this criminal original petition is filed.

2. The learned counsel for the petitioners submitted that on the basis of the complaint lodged by the *defacto* complainant, F.I.R in Crime No.487 of 2025 was registered for the offences under Sections 189(2) and 293 of BNS, 2023 against the petitioners and the same culminated in laying a charge sheet in S.T.C.No.1450 of 2025 on the file of the Judicial Magistrate Court, Valliyoor for the aforesaid offences.

3. The case of the prosecution is that on 02.09.2025, while the respondent police were performing bandobust duty in connection with the temple festival of Vadapathira Kaliyamman Kovil at Kumaraputhu



Crl.O.P(MD)No.2921 of 2026

Kudieruppu, the accused persons allegedly conducted the programme near the temple and continued the same even after 10.10 p.m, violating the mandates of the of this Court in W.P(MD)No.12535 of 2023, dated 24.05.2023, in which this Court has mandated that no Adal Padal programmes in any temple festival should be conducted after 10.00 p.m. Based on which final report was filed as against the petitioners.

4. However, the learned counsel for the petitioners categorically contended that the nature of the programme which was conducted was not Adal Paadal. It was a music program (Innisai Kacheri). The same was conducted in the remote village and no public nuisance was caused and no complaint has been received from the public and the facts and circumstances of this case is squarely covered by the order of this Court in Crl.O.P(MD)No.20263 of 2025, dated 17.11.2025, in which this Court has quashed the similar case and sought indulgence of this Court.

5. The learned Government Advocate(Crl.Side) submitted that the said programme was conducted without permission and the petitioners



Crl.O.P(MD)No.2921 of 2026

have failed to produce any permission which was obtained by them in this regard and sought dismissal of this petition.

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

7. It is seen from the records that no allegation to suggest that the petitioners had assembled unlawfully and the common object was to commit any act as provided under Section 189 BNS is made out. They have assembled only to conduct music program. Therefore, the offence under Section 189(2) of BNS, 2023 would not be made out. It is also seen that there is no specific injunction order passed by any public authority and therefore, the offence under Section 293 of BNS, 2023 would not be made out.

8. Hence, the final report in S.T.C.No.1450 of 2025 on the file of the Judicial Magistrate Court, Valliyoor is quashed. Accordingly, this



Crl.O.P(MD)No.2921 of 2026

Criminal Original Petition is allowed. Consequently, connected
Miscellaneous Petitions are closed.

19.02.2026

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

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To

- 1.TheInspector of Police,
Valliyoor Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P(MD)No.2921 of 2026

L.VICTORIA GOWRI, J.

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Crl.O.P(MD)No.2921 of 2026

19.02.2026