



Crl.OP(MD).No.5164 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5164 of 2026
and
Crl.M.P.(MD).No.5524 of 2026

Anbu Selvan

...Petitioner/sole Accused

Vs

1. State Of Tamilnadu Rep By
Inspector Of Police,
Courtallam Police Station
Tenkasi District.
Crime No.393 of 2025

2. Maheswari

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records in Crime No.393 of 2025 on the file of the 1st respondent police and Quash the same as against the petitioner herein and pass such further orders as this Honble Court.

For Petitioner

: M/s.P.T.Ramesh Raja
for
M/s.D.Mathavan

For Respondent
No.1

: Mr.A.Albert James
Govt., Advocate (Crl.side)



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ORDER

The present petition has been filed by the sole accused in Cr.No.393 of 2025 seeking to quash the FIR in Crime No.393 of 2025 on the file of the first respondent police, wherein, the petitioner is charged with the offence under Section 270 of BNS.

2. A perusal of the FIR reveals that the petitioner is alleged to have operated a drone near Five Falls, Courtallam, thereby causing inconvenience to the general public.

3. According to the learned Counsel for the petitioner, the petitioner operated the drone only to capture the natural scenery and did not cause any annoyance to the general public. He further submits that the drone was not operated in any restricted zone as per the Drone Rules, 2021. The petitioner has filed an undertaking affidavit dated 25.03.2026, the relevant portion of which is extracted hereunder:

"3. I submit that I operated the,drone only for the purpose of capturing natural scenery and the same has not caused any nuisance to any of the public. I further submit that the area I operated the drone is also not a restricted zone.



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4. *I submit that I have filed the above quash petition before this Hon'ble Court seeking to quash the FIR by relying Drone Rules, 2021. When the matter came up for hearing on 12.03.2026, this Hon'ble Court was pleased to direct me to file an affidavit of undertaking. In compliance with the direction of this Hon'ble Court and without prejudice to my rights and contentions raised in the Criminal Original Petition, I hereby undertake that I shall not operate any drone in public places or in areas if it causes inconvenience and disturbance to the general public in future.*

5. *I further undertake that I will not operate any drone in any restricted, prohibited or notified area without obtaining necessary permission from the competent authority and shall strictly comply with all applicable regulations, including the requirements of the Digital Sky Platform. I submit that this undertaking is given voluntarily, out of my own free will and in compliance with the direction issued by this Hon'ble Court."*

4. Heard the learned Counsels appearing on either side and perused the materials available on record.

5. The petitioner herein is charged with an offence punishable under Section 270 of BNS, 2023. Section 270 of BNS, 2023 is extracted hereunder:



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"A person is guilty of a public nuisance who does any act or is guilty of an illegal omission which causes any common injury, danger or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger or annoyance to persons who may have occasion to use any public right but a common nuisance is not excused on the ground that it causes some convenience or advantage."

6. The specific allegation against the petitioner is that he operated a drone and caused annoyance to the general public. According to the petitioner, he operated the drone over Five Falls at Courtallam only to capture the natural scenery, without any intention to cause annoyance to the general public. Further, there is no specific allegation that the petitioner operated the drone in a no-fly zone as per the Drone Rules, 2021.

7. Considering the above facts and the affidavit filed on behalf of the petitioner, the FIR in Crime No.393 of 2025 on the file of the first respondent stands quashed. The petitioner is directed to delete the video captured using the drone at Five Falls, Courtallam. In the event the petitioner is found to have used or published the said video hereafter, appropriate action shall be initiated by the concerned police authorities.



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8. With the above said observations, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

01.04.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

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To:

1. The Inspector Of Police,
Courtallam Police Station
Tenkasi District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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