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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.4882 of 2026

and

Crl.M.P(MD)No.5234 of 2026

- | | |
|------------------|---------------------------------------|
| 1. Sankaralingam | |
| 2. P.Paramasivam | |
| 3. M.Murugan | |
| 4. S.Rajeshkanna | ...Petitioners 1-4/Accused Nos.1 to 4 |
| 5. S.Gurusamy | ...Petitioner No.5/Accused No.5 |

Vs

- | | |
|--|-----------------------------------|
| 1.State of Tamilnadu,
Rep by Inspector of Police,
East Police Station,
Kovilpatti,
Thoothukudi District.
(Crime No.534 of 2024) | ...Respondent/Complainant |
| 2.S.Kavitha,
Village Administrative Officer,
Kovilpatti,
Thoothukudi District. | ...Respondent/Defacto Complainant |

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records in S.T.C.No.1594 of 2025 on the file of the Judicial Magistrate No.1, Kovilpatti, Thoothukudi District and to quash the same in respect of this petitioners/Accused Nos.1 to 5.



For Petitioners : M/s.D.Srinivasaragavan
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor
for R1

ORDER

The present petition has been filed by the accused persons in S.T.C.No. 1594 of 2025 on the file of the learned Judicial Magistrate No.I, Kovilpatti, Tuticorin District, seeking to quash the charge sheet wherein they have been charged with the offences under Sections 126(2), 132 and Section 3(5) of BNS, 2023.

2. A perusal of the charge sheet reveals that the petitioners herein are the members of a social organisation and they have entered into the Office of the Revenue Inspector, Kovilpatti, on 20.11.2024 and they have objected for reception of the petitions from the general public on the ground that no proper advertisement has been given. It is further alleged that they had fallen upon the floor and prevented the Government officials from performing their duties.

3. According to the learned Counsel appearing for the petitioners, even as per the charge sheet, the petitioners belong to the social organisation and they



have gone to the office of the Revenue Inspector only to request them to postpone the event because there was no proper advertisement. They have never prevented the Government officials from performing their duties.

4. The petitioner filed an affidavit today. Paragraph No.3 of the affidavit is extracted as follows:-

“3. It is submitted that we, the Petitioners, never interfered with or obstructed the Public Servant from discharging their official duties on the alleged day. All that we requested from the Government Servants to publish a wide advertisement regarding the scheme "Ungalai Thedi Ungal Ooril," so that the people would approach the officials for redress their grievance. We never interfered public servants in discharging their duties and receiving Petition from General Public. Nevertheless, we hereby undertake that we will not cause any disturbance to the Public Servants in the Government office and restrain them from discharging their duties. We will air our grievances in a democratic manner without causing any disturbance to the Public Servant.”

5. Per contra, the learned Additional Public Prosecutor appearing for the first respondent submitted that proper advertisement was given in the newspapers and therefore, unnecessarily the petitioners have entered into the office of the Revenue Inspector and prevented him from performing the duties.

6. I have considered the submissions made on either side and perused the materials available on record.



7. The charges in the charge sheet would clearly reveal that the petitioners belong to the social organisation and that they have gone to the office of the Revenue Inspector on a particular day only to make a request to postpone the event on the ground that no proper advertisement has been given to the general public. In such circumstances, it cannot be considered that they had any intention to commit any offence or prevent the revenue officials from performing their duties. It is only a request made by the members of the social organisation on behalf of the general public of their locality.

8. In such circumstances, directing the petitioners herein to undergo criminal trial for the above said factual position, would only be a harassment.

9. Considering the above said facts, the charge sheet in S.T.C.No.1594 of 2025 on the file of the learned Judicial Magistrate No.I, Kovilpatti, Tuticorin District, is hereby quashed.

10. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

12.03.2026

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



To

1. The Judicial Magistrate No.1,
Kovilpatti,
Thoothukudi District.
2. The Inspector of Police,
East Police Station,
Kovilpatti,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

RJR

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