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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.5385 of 2026

and

Crl.M.P(MD)No.5777 of 2026

1. Jaishankar
2. Rajalingam
3. Elamathi
4. Sundharrajan
5. Thennarasu
6. Tamilselvan
7. Periyasamy
8. Ganesan
9. Vinithkumar
10. Murugesan
11. Malaiyarasan
12. J.Devi
13. Rajakandham
14. Sangeetha

...Petitioners/Accused 1 to 14

Vs

1. State of Tamilnadu,
Rep by the Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.247 of 2025.

...1st Respondent/Complainant



2. Prabakaran,
Village Administrative Officer,
29-Uranipuram Village,
Thiruvonam Taluk,
Thanjavur District.

...2nd Respondent /Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records pertaining to the First Information Report in Crime No. 247 of 2025 on the file of the 1st Respondent Police and quash the same.

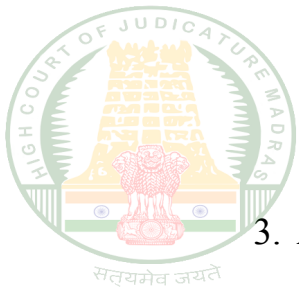
For Petitioners : M/s.S.Gurumoorthy

For Respondents : M/s.P.Samuel Gunasingh
Counsel for State of TN(crl.side)
for R1

ORDER

The present petition has been filed by the accused persons in Crime No. 247 of 2025, on the file of the first respondent police wherein the petitioners are charged with the offences under Sections, 189(3) and 126(2) of BNS, 2023.

2. A perusal of the FIR reveals that the petitioners belong to a political party and they have unlawfully assembled in the bazaar road protesting against not permitting them to participate in the Temple Kumbhabhishekam Festival. It is further alleged in the FIR that when the police warned them, they got disbursed.



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3. According to the learned Counsel appearing for the petitioners, the petitioners belong to the Scheduled Caste community and when they were not permitted to participate in the Temple Kumbhabhishekam Festival, they have protested as against the same. In such circumstances, such protest in a democratic manner cannot be considered to be an offence.

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

5. As could be seen from the averments in the FIR, the members of a political party have protested for not permitting the Scheduled Caste people for participating in the temple festival. When the police personnel have warned them, they have immediately disbursed. In such circumstances, it cannot be considered to be an offence and any continuation of the criminal proceedings would only be an abuse of process of law.

6. In view of the above said facts, FIR in Crime No.247 of 2025, on the file of the first respondent police stands quashed.

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

02.06.2026

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



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To

The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

Copy to:-

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



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R.VIJAYAKUMAR, J.

RJR

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