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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.5985 of 2026
and
CrI.M.P(MD)Nos.6498 & 6502 of 2026

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...Petitioner/Accused No.2

Vs

1. State of Tamilnadu,
Rep by the Inspector of Police,
Aranthangi Police Station,
Pudukkottai.
Crime No.299/2025.

...Respondent/Complainant

2. Mahalingam,
S/o.Not Known,
Sub Inspector of Police,
Aranthangi Police Station,
Pudukkottai.

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records relating to the STC No.348/2025 pending on the file of the learned Judicial Magistrate, Aranthangi, and quash the same as against the petitioner.



For Petitioner : M/s.G.Karuppasamy Pandian

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor for R

ORDER

The present petition has been filed by the second accused in S.T.C.No. 348 of 2025 on the file of the learned Judicial Magistrate, Aranthangi, seeking to quash the charge sheet wherein the petitioner is charged with the offences under Sections 189(2), 126(2) and 285 of BNS, 2023.

2. A perusal of the charge sheet reveals that the petitioner along with 4 others who belong to a political party had unlawfully assembled and made a demand that the central Government should implement Article 39 of the Constitution of India. In view of this unlawful assembly, the general public were not able to use the public road leading to Aranthangi Bus Stand.

3. The learned Counsel appearing for the petitioner submitted that it was a political agitation by a National Political Party requesting the Central Government to implement Article 39 of the Constitution of India and there was no violence and he further submitted that they were only expressing their opinion in a democratic manner and there is no allegation, whatsoever, with regard to the inconvenience caused to the general public.



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

5. Considering the fact that the agitation has been led by the political party in a peaceful manner and there was no violence and also there was no disturbance to the general public, the continuation of the criminal proceedings as against the petitioner and the other accused persons in the charge sheet would only be an abuse process of law.

6. In view of the above said facts, S.T.C.No.348 of 2025, on the file of the learned Judicial Magistrate, Aranthangi, is hereby quashed not only as against the petitioner but also other accused persons in the said charge sheet.

7. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are also closed.

26.03.2026

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



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To

1. The learned Judicial Magistrate,
Aranthangi.
2. The Inspector of Police,
Aranthangi Police Station,
Pudukkottai.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

RJR

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