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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.5700 of 2026

and

CrI.M.P.(MD)No.6180 of 2026

M.Ramesh

...Petitioner/Sole Accused

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
V-1 Thirupparamkundram Police Station,
Madurai City.
(In Crime No.452 of 2022)

...1st Respondent/Complainant

2. M.Murugan,
The Sub Inspector of Police,
V-1 Thirupparankundram Police Station,
Madurai City.

...2nd Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records in Crime No.452 of 2022 on the file of the 1st Respondent and quash the same in respect of the petitioner.

For Petitioner : M/s.C.Mayil Vahana Rajendran

For Respondents : Mr.B.Thanga Aravindh
Government Advocate(crl.side)
for R1



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ORDER

The present petition has been filed by the sole accused in crime No.452 of 2022 on the file the first respondent police wherein the petitioner is said to have committed offences under Sections 143, 151 and 290 of I.P.C.

2. A perusal of the F.I.R. reveals that the petitioner along with 49 other persons have unlawfully assembled in a road, raised slogans objecting to the arrest of the opposition leader and other assembly members belonging to the opposition political party.

3. A perusal of the F.I.R. clearly reveals that the petitioners herein have peacefully assembled at 12.25 p.m. and they have also left the said place at 1.40 p.m. Therefore, it is clear that they have exercised their democratic rights, raising protest for the arrest of the opposition leader and other assembly members belonging to the opposition party.

4. In view of the above facts, it is clear that the petitioner has only exercised the democratic rights without causing any damage to public property or obstructed the road beyond one and half hours.



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5. In view of the above said facts, the petitioners cannot be subjected to criminal prosecution for exercising their democratic rights and therefore, the F.I.R. in crime No.452 of 2022, stands quashed not only as against the petitioner but as against other non-petitioners also. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

23.03.2026

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

To

1. The Inspector of Police,
V-1 Thirupparamkundram Police Station,
Madurai City.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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