



Crl.OP(MD)No.8314 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD) No.8314 of 2024

and

Crl.M.P.(MD) Nos.5657 & 5658 of 2024

Karthick

... Petitioner / Accused No.25

Vs

1. The State represented by
The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.

... 1st Respondent / Complainant

2. Kalaiyarasu

... 2nd Respondent / Defacto Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C.,
to call for the records relating to the charge sheet in C.C.No.274 of
2023 pending on the file of the learned Judicial Magistrate-I,
Sivagangai and to quash the same as against the petitioner.

For Petitioner : Mr.S.Vairamuthu
for Mr.G.Karuppasamypandiyan

For R-1 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)



Crl.OP(MD)No.8314 of 2024

WEB COPY

ORDER

Preface:

This Criminal Original Petition has been filed invoking the inherent jurisdiction of this Court under Section 482 Cr.P.C., seeking to quash the charge sheet in C.C.No.274 of 2023 on the file of the learned Judicial Magistrate-I, Sivagangai, insofar as the petitioner, who is arrayed as Accused No.25, is concerned.

2. The petitioner stands implicated along with 29 other accused persons for alleged offences under Sections 143, 147, 188, 294(b), 263, 270, 289, 326, 336, 353 and 506(ii) IPC and Section 11(1)(d) of the Prevention of Cruelty to Animals Act.

Case of the prosecution:

3. The case of the prosecution, as unfolded in the final report, is that on 05.04.2020 at about 11.00 a.m., during the COVID-19 pandemic period when prohibitory orders under Section 144 Cr.P.C., 1973, were allegedly in force, the petitioner along with other accused persons organised a “Manju Virattu” (bull-chasing event) without obtaining permission from the competent authorities.



WEB COPY

4. It is further alleged that upon receipt of information, the *defacto* complainant along with police personnel rushed to the spot and attempted to prevent the conduct of the event. At that juncture, a verbal altercation ensued between the participants and the police officials.

5. During the said incident, one of the bulls allegedly attacked a police constable, namely Kanagaraj, causing grievous injuries. Based on the said occurrence, a case in Crime No.113 of 2020 came to be registered against 30 persons, including the petitioner herein.

Grounds for quash:

6. The petitioner seeks quashment of the proceedings primarily on the following grounds:

(i) The allegations against the petitioner are omnibus, vague and bereft of any specific overt act;

(ii) The petitioner was not an organiser or active participant, but has been falsely roped in along with several villagers;

(iii) Except Accused Nos.1 to 4, no individual role has been attributed to any other accused;



(iv) Even as per the prosecution case, the alleged act of the bull causing injury is accidental and cannot be attributed to any specific individual;

(v) The offence under Section 188 IPC is non-cognizable and cannot be the basis for registration of FIR without following due procedure;

(vi) The continuation of proceedings amounts to abuse of process of law, attracting the principles laid down in ***State of Haryana v. Bhajan Lal***¹.

Arguments on either side:

7. The learned counsel for the petitioner contended that the petitioner has been falsely implicated without any material to demonstrate his involvement. The entire charge sheet proceeds on general and sweeping allegations without assigning any specific role to the petitioner.

8. It is further contended that the specific overt acts are attributed to Accused Nos.1 to 4 only, who are alleged to have

¹ 1992 Supp(1) SCC 335



Crl.OP(MD)No.8314 of 2024

unroped the bulls. As against the petitioner, there is absolutely no material to establish participation, instigation, or common object.

9. The learned counsel also submitted that mere presence at the scene of occurrence does not constitute unlawful assembly unless there is material to establish a shared common object.

10. Placing reliance on judicial precedents, it is argued that when allegations are inherently vague and do not disclose essential ingredients of the offences alleged, the proceedings are liable to be quashed.

11. Per contra, the learned Government Advocate (Criminal Side) submitted that the incident occurred during the pandemic period in violation of prohibitory orders and that the accused persons had assembled with a common intention to conduct the Manju Virattu event.



Crl.OP(MD)No.8314 of 2024

WEB COPY

12. It is further submitted that the unlawful assembly resulted in serious injury to a police official and therefore, the offences alleged are grave in nature and warrant trial.

13. The learned Government Advocate would contend that the issue of common object and participation are matters to be decided during trial and not at the stage of quash.

Point for consideration:

14. The point that arises for consideration is whether the allegations made in the final report and the materials accompanying it disclose the commission of any offence as against the petitioner, warranting continuation of criminal proceedings?

Analysis:

15. This Court has carefully considered the rival submissions and perused the materials available on record.

16. At the outset, it is trite that while exercising jurisdiction under Section 482 Cr.P.C., 1973, this Court is required to examine



whether the uncontroverted allegations *prima facie* disclose the commission of an offence.

17. A careful reading of the final report reveals that specific overt acts have been attributed only to Accused Nos.1 to 4, who are alleged to have unroped the bulls, leading to the unfortunate incident.

18. Insofar as the petitioner is concerned, there is no specific allegation indicating his role, participation, or involvement in the conduct of the event. The allegations are general in nature and merely include the petitioner as part of a larger group.

19. Mere presence at the place of occurrence, without anything more, cannot be sufficient to fasten criminal liability, particularly in cases involving unlawful assembly, unless the prosecution establishes a shared common object.

20. The materials placed before this Court do not disclose any such common object attributable to the petitioner. There is no



material to show that the petitioner shared the intention of the principal accused or actively participated in the alleged acts.

21. Further, the alleged act of the bull causing injury appears to be an unintended occurrence. In the absence of specific material linking the petitioner to any culpable conduct, the invocation of serious penal provisions cannot be sustained.

22. The allegations, insofar as the petitioner is concerned, are omnibus, vague and lacking in particulars. Continuation of such proceedings would amount to subjecting the petitioner to unnecessary harassment.

23. This Court is of the considered view that the present case squarely falls within the parameters laid down in **State of Haryana v. Bhajan Lal**², particularly where the allegations do not *prima facie* constitute an offence and are inherently improbable. In such circumstances, permitting the prosecution to proceed against the petitioner would amount to abuse of process of law.

² 1992 Supp(1) SCC 335



Crl.OP(MD)No.8314 of 2024

WEB COPY

24. In view of the foregoing analysis, this Court holds that the continuation of proceedings in C.C.No.274 of 2023, insofar as the petitioner is concerned, is unsustainable in law.

25. Accordingly, this Criminal Original Petition stands allowed and the proceedings in C.C.No.274 of 2023 pending on the file of the learned Judicial Magistrate-I, Sivagangai are quashed insofar as the petitioner / Accused No.25 is concerned. Consequently, connected miscellaneous petitions are closed.

17.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml

To

- 1.The Judicial Magistrate-I,
Sivagangai.
- 2.The Inspector of Police,
Madhagupatti Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrI.OP(MD)No.8314 of 2024

L.VICTORIA GOWRI, J.

Sml

CRL OP(MD)No.8314 of 2024

17.02.2026