

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 20001 of 2026

and

CRL.MP.Nos.13333 & 13334 of 2026

1. Sherip
S/o.Abdul Kadhar,
Residing at
162, Kannusamy Gounder Cross 2nd Street,
Shanmuga Nagar,
Coimbatore North.
2. Jeenath
W/o.Abdul Kadhar,
Both Residing at
162, Kannusamy Gounder Cross 2nd Street,
Shanmuga Nagar,
Coimbatore North.

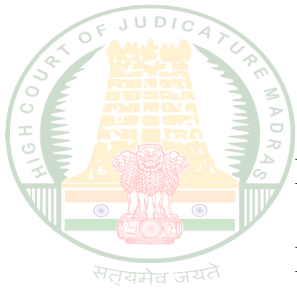
..Petitioner(s)

Vs

1. State by The Inspector of Police
C-5, Kavundampalayam Police Station,
Coimbatore City.
Crime No.120 of 2024
2. Chandramurthy
Sub-Inspector of Police,
C-5, Kavundampalayam Police Station,
Coimbatore City.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the entire records pertaining to the C.C.No.6111 of 2025 on the file of the Judicial Magistrate No.1, Coimbatore, and quash the same in respect of the Petitioners and pass such further or other order as may deem it and proper in the circumstances of the case and thus render justice.



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For Petitioner(s):

Mr.B.Kumarasamy

For Respondent(s):

Mr.M.Mohamed Riyaz

Government Advocate (Criminal Side) for R1

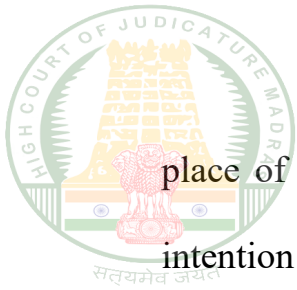
ORDER

The prayer in this Criminal Original Petition is to quash the final report filed in C.C.No.6111 of 2025 on the file of the learned Judicial Magistrate No.1, Coimbatore.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side). This Court has also perused the First Information Report, the materials collected during the course of investigation, and the final report.

3. The allegation against the petitioner is that the petitioner circulated a recorded video through a mobile phone stating that the police were foisting false cases against Muslims and that, as in North India, similar acts were now taking place in South India, rendering Muslims unable to live peacefully. Based on the said allegation, the final report has been filed for the offence under Section 295 of IPC.

4. A plain reading of Section 295 IPC would show that the essential ingredients of the offence are the destruction, damage or defilement of any



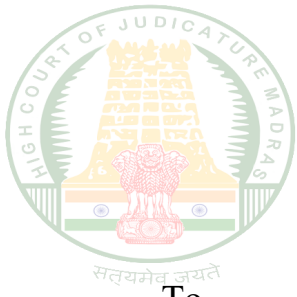
place of worship or any object held sacred by any class of persons, with the intention of thereby insulting the religion of any class of persons or with the knowledge that such destruction, damage or defilement is likely to be regarded as an insult to their religion.

5. In the present case, the allegations, even if accepted in their entirety, merely relate to a political statement allegedly made by the petitioner. There is no allegation whatsoever of any act involving the destruction, damage or defilement of any place of worship or any object held sacred by any class of persons. Thus, the essential ingredients of the offence under Section 295 of IPC are conspicuously absent. Even assuming the statements of the listed witnesses to be true on the face of the record, no offence under Section 295 IPC is made out against the petitioner.

6. In such circumstances, permitting the criminal prosecution to continue would amount to an abuse of the process of law. Accordingly, this Criminal Original Petition is allowed and the proceedings in C.C.No.6111 of 2025 on the file of the learned Judicial Magistrate No.1, Coimbatore are hereby quashed in their entirety. Consequently, connected miscellaneous petitions are closed.

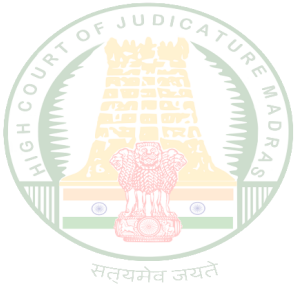
27-07-2026

Neutral Citation: Yes/No



To
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1. The learned Judicial Magistrate No.1, Coimbatore.
2. The Inspector of Police
C-5, Kavundampalayam Police Station,
Coimbatore City.
3. The Public Prosecutor,
High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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