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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03.10.2025

PRESENT

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)Nos.16803 & 16811 of 2025

1.CTR.Nirmal Kumar

Petitioner in

CRL.OP.(MD)No.16803 of 2025

2.N.Anand Alias Bussy Anand

Petitioner in

CRL.OP.(MD)No.16811 of 2025

Vs.

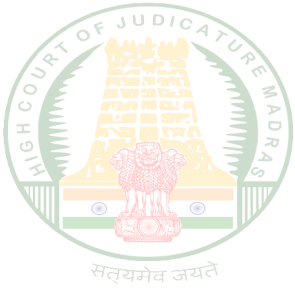
The Inspector of Police,
Karu Town Police Station,
Karur.

In Cr.No.855 of 2025

Respondent in both CRL.OPs.

For Petitioners : Mr.V.Ragavachari,
(In both Cases) Senior Counsel,
for Mr.S.Arivazhagan.

For Respondent : Mr.Veerakathiravan,
(In both Cases) Additional Advocate General
Assisted by



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Mr.S.Ravi,
Additional Public Prosecutor.

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS,
2023

COMMON PRAYER :-

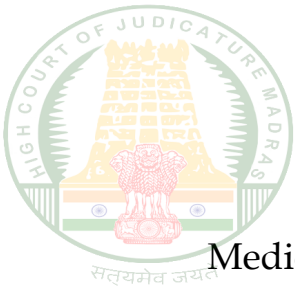
For Anticipatory bail in Cr.No.855 of 2025 on the file of the
respondent police.

COMMON ORDER : The Court made the following common
order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 105,
110, 125(b), 223 BNS and Section 3 of the Tamil Nadu Public
Property (Prevention of Damages & Loss) Act, 1992 in Crime No.
855 of 2025 on the file of the respondent police, seek anticipatory
bail.

2.The Brief Case Mentioned in FIR is read as under:-

The Inspector of Police, Karur has received information at
21.00 hours from the Outpost Police Station of Government



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Medical College and Hospital, Karur, based on which, a case was registered as follows:- At first, this occurrence began on 26.09.2025, when Karur West Secretary of Thamizhaga Vetri Kalagam (hereafter referred to as TVK) approached the police seeking permission to conduct a political propaganda speech of his party President Thiru.Vijay. The same was permitted by the police with 11 conditions. To manage the crowd and traffic during the said event, the police had deployed around 500 personnel, including Additional Superintendent of Police, Inspector of Police, Sub Inspector of Police, under the supervision of the Inspector General of Police (Central Zone), the Superintendent of Police, Karur District.

2.1. On 27.09.2025, around 9:00 AM, it was broadcast in the media that the President of TVK (hereafter referred to as the President) would be arriving at Karur at 12:00 PM. From 10:00 AM onwards, the general public and TVK party members began assembling at the venue. Consequently, large crowds started gathering in areas such as Veluchamipuram Main Road-Covai

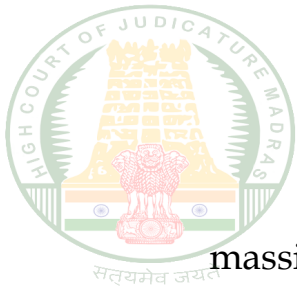


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Road, Muniyappan Kovil Junction-Covai Salai, Thirumapuliur Roundana, and the Madurai-Salem Bypass Road.

2.2.In the representation given by TVK Karur Secretary Mathiyalagan, it was reported that approximately 10,000 party members were expected. However, during the event, more than 25,000 persons had gathered.

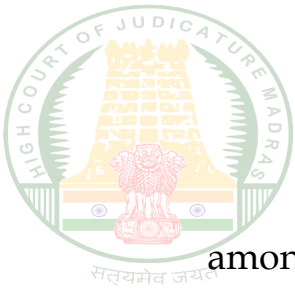
2.3.In these circumstances, the President of TVK arrived at Velayuthampalayam around 4:45 PM and entered Thavittupalayam, deliberately delaying his arrival by conducting a roadshow in the above-mentioned places without permission. This caused inconvenience to the general public and heavy traffic congestion. Thereafter, the President reached Muniyappan Kovil Junction at 6:00 PM by taking an unauthorized route and finally entered the venue only around 7:00 PM, when he began his speech. Meanwhile, the crowd of party members and the general public had swelled in huge numbers at the venue. The Inspector and DSP warned the accused named in the FIR that the situation was becoming unmanageable, as the crowd had gathered in



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massive numbers with high anticipation to see the President's speech. It was specifically warned that a stampede could occur, causing loss of life and damage to property. Despite this, the accused failed to regulate the party members. As a result, members of the crowd began climbing nearby trees and the tin roofs of nearby shops, which eventually collapsed, injuring bystanders and causing several people to experience breathing difficulties.

2.4. Although police permission had been granted for the event to be conducted only between 3:00 PM and 10:00 PM, with a mandatory condition that the event be held within the stipulated time, the party leaders deliberately delayed the President's arrival in Karur by nearly 4 hours with the aim of attracting a larger crowd and showcasing their political strength. Due to this long delay, thousands of people who had been waiting for several hours became exhausted from the heat and thirst. The prolonged wait, lack of adequate drinking water and medical facilities, and the stress caused by the overcrowding led to severe exhaustion

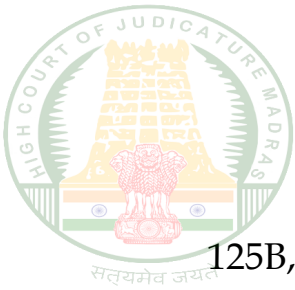


among attendees.

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2.5.As a result, a stampede occurred during the event, leading to the death of 11 people (as per FIR). Many others sustained injuries and were admitted to the Government Hospital, Karur, some in critical condition.

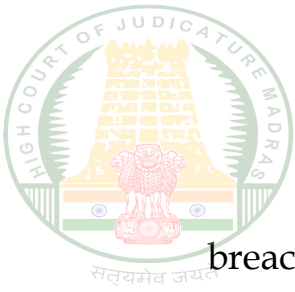
3.The learned Senior Counsel appearing for the petitioners would submit that Karur District Secretary of the Party has obtained permission to conduct the meeting from 03.00 pm., to 10.00 pm. The President of the Party has come to the event around 06.00 pm. Therefore, there is no question of delay in arriving the place of event. Even if there is a delay caused, the Police did not take any steps to stop the event. Further, he would submit that Karur District Secretary/A1 has submitted representation for granting permission to conduct the event and to give Police protection for the said event. The Police also has obligation to control the crowd. Further, he would add that FIR in Cr.No.855 of 2025 has been registered for the offences under Sections 105, 110,



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125B, 223 BNS and Section 3 of the Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992. Section 105 of the Bharatiya Nyaya Sanhita (BNS) defines culpable homicide not amounting to murder and specifies its punishment. This section holds individuals accountable for causing death by an act done with the intention of causing death or with the knowledge that it is likely to cause death but without the intent to kill. In this case, there is no intention on the part of the petitioners. Therefore, the alleged offences under Sections 105, 110 BNS, 2023 are not made out. Further, he would submit that lathi charge has been made by the Police against the people, who gathered in the event, without prior intimation which causes sudden disturbance in the event and also in the middle of the speech, some goondas have thrown a chappal towards the President of the Party.

4. The learned Senior Counsel would also submit that none of the conditions imposed by the Police are breached by the petitioners and other office bearers. If the conditions have been

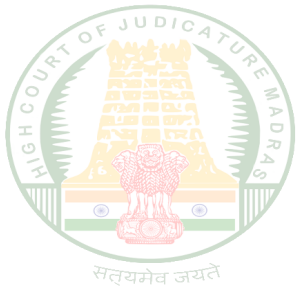


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breached, Police has to server notice to the Organizers. However, no such notice has been served to any of the Organizers. As per Sections 30, 30A, 31 and 32 of the Police Act, 1861, the Police have power to stop the event at any point of time, but the Police has failed to do the same. Further, he would argue that as per Section 304 and 300A IPC, there must be a intention to cause loss of life. In the present case, prima facie, there is no intention on the part of the petitioners to cause loss of life of the people gathered in the event. The other alleged offences under Sections 125(b), 223 BNS are bailable offences. Karur District Secretary, TVK/A1 alone made representation and organized the meeting and undertaking to the Police was also given by him. Therefore, adding the State General Secretary(A2) and Joint Secretary(A3) as accused persons is not sustainable.

5.To strengthen his contention, the learned Senior Counsel has relied upon the following judgments:-

i)Aravind Vs. State of Haryana reported in 2024 CrLJ 2934.



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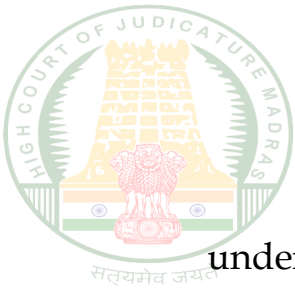
ii)Naina Sunil Jamdar Vs. State of Maharashtra reported in 2023 Supreme (Bom) 2259.

iii)Pramod Sethi Vs. State of Madhya Pradesh reported in 2023 Supreme (MP) 938.

iv)M.D.Dhanapal Vs. State rep.By Inspector of Police reported in (2019) 6 SCC 743.

6.Per contra, the learned Additional Advocate General appearing for the respondent Police has raised preliminary objection as to whether the petition filed by the former MLA in CRL.OP.(MD)No.16811 of 2025 can be heard by this Bench. The cases registered as against the MLAs and Mps and former MLAs and MPs have to be heard by the Special Bench constituted in the Principal Seat of Madras High Court. There is no mention about the same in the petition filed by A2. Further, he would submit that if there is really an intention on the part of the petitioners/accused persons, the case must be registered for the offence under Section 103 BNS / 302 IPC. However, in this case case has been registered

9/16



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under Section 105 BNS/ 304 IPC. The learned Additional Advocate General further submits that the case itself registered on 27.09.2025, immediately after the occurrence and the investigation is still in nascent stage. Therefore, the respondent Police are not in a position to find the real persons or cause for the stampede. In order to enquire the entire occurrence, the Government of Tamil Nadu has appointed Former learned Judge of this Court, Hon'ble Mrs.Justice Aruna Jagadeesan as One Man Commission and the Hon'ble Commissioner is conducting the enquiry.

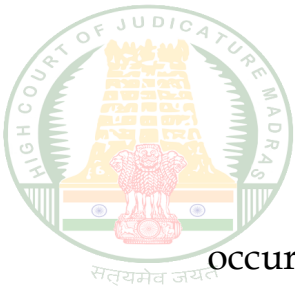
7.The learned Additional Advocate General would further submit that the entire event was organized by the State General Secretary/A2 of the party. Moreover, he only made several announcements through Media stating that the President of the Party will come to Karur by 12.00 PM. Even if there is a delay, the same was not updated by him through Media. The petitioners herein have not taken any steps to control their own party members and they have not even made any announcement to their

10/16



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party members to behave in a proper manner. The respondent Police only can give protection. The petitioners, as a State General Secretary and Joint Secretary, have some responsibilities to control their party members, but no information was provided to the party members. Even though the Police has given permission by imposing 11 conditions, one of the conditions is not to conduct road show, while entering into Karur District, the President of the Party has conducted road show, which in-turn caused the delay in arriving the place of occurrence. He would also submit that no facilities, such as, water, parking facility, sanitation, have not been provided by the organizers and the responsibility of the Police is only to give protection to the attendees and not to give any amenities to the public gathered in the event. The learned Additional Advocate General would further submit that the postmortem report revealed that most of the people died, due to dehydration. In the said occurrence, 41 innocent people died and above 100 people sustained injuries and some of the injured persons are still taking treatment as inpatient. After the



occurrence, the organizers have absconded from the scene.

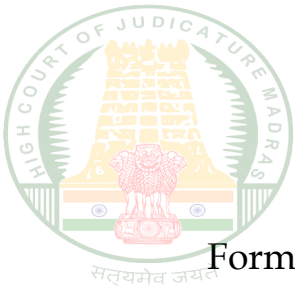
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8.The learned Additional Advocate General would also submit that in similar circumstances, the Principal Seat of Madras High Court in CrI.O.P.No.27460 of 2025 has formed a Special Investigation Team headed by Senior IPS Officer, namely Mr.Asra Garg, to probe the incident.

9.This Court has considered the submissions made on either side and perused the available records.

10.The learned Additional Advocate General has raised preliminary issue that A2 in this case is a Former Member of the Legislative Assembly(MLA) and therefore, the petition filed by him has to be heard by the Special Bench constituted in the Principal Bench of Madras High Court. In this regard, this Court clarified the same with Registry of this Court and the Registry informed that Vacation Court can entertain the petition filed by

12/16



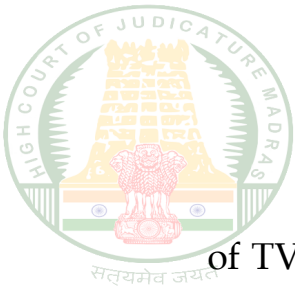
Former MLA, as a urgent case.

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11.The facts narrated in FIR is disturbing the conscious of this Court. The role of the event organizers and the role of the Police Authorities are crucial in this case. The present case arises out of a tragic stampede, for which loss of life and serious injures have occurred, on 27.09.2025. Though the Police Authorities have granted permission to conduct the event on 27.09.2025, by imposing 11 conditions, permissible time was fixed between 03.00 pm., to 10.00 pm.

12.The First Information Report in Cr.No.855 of 2025 has been registered on 27.09.2025, immediately after receiving the information from the Outpost Police Station in Government Medical College and Hospital, Karur. The Inspector of Police, Karur Town Police Station, Karur is the defacto complainant in the said case. In FIR, Mathiazghan, Karur District Secretary of TVK is arrayed as A1, Anand Alias Bussy Anand, State General Secretary

13/16



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of TVK is arrayed as A2, CTR.Nirmal Kumar, State Joint Secretary of TVK is arrayed as A3. The other office bearers have also added as unknown accused. A1/ Mathiazghan and other unnamed accused in FIR, namely Masi Alias Pounraj have been arrested on 28.09.2025 by the respondent Police and they are still in judicial custody.

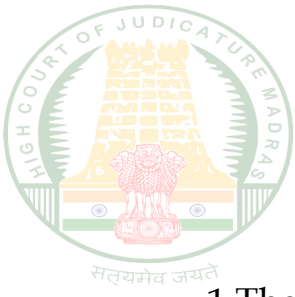
13.Considering the role of the petitioners/accused in the alleged offences, nature and gravity of the offences involved in this case, considering the fact that the investigation is still in preliminary stage and some of the injured persons are still in hospital taking treatment as inpatient and also considering the fact that the alleged occurrence took place only on 27.09.2025, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, these criminal original petitions are dismissed.

GNS

(M J R J)
03.10.2025

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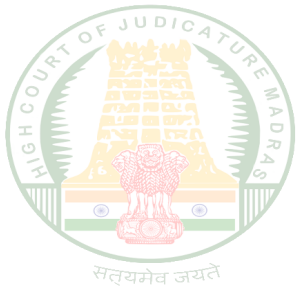
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- 1.The Inspector of Police,
Karu Town Police Station,
Karur.

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



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M.JOTHIRAMAN,J

GNS

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16811 of 2025

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