



**IN THE COURT OF THE PRINCIPAL DISTRICT AND
SESSIONS JUDGE,
RAMANATHAPURAM.**

**PRESENT: Thiru. A.K.MEHBUB ALI KHAN, B.L.M, L.L.M.,
PG.D.PM/IR, Dip.in.J.J & J.Psy., PG.DDF.,
Principal Sessions Judge, Ramanathapuram.**

Friday, the 05th day of June 2026

SESSIONS CASE NO.31/2024

**(P.R.C. 26/2016 of District Munsif-cum-Judicial Magistrate,
Rameswaram)**

**(Rameswaram Jetty Police Station Cr.No.75/2015)
(CNR.No.TNRM01-000495-2024)**

The State,
represented through
the Inspector of Police,
Jetty Police Station,
(Crime No. 75/2015

...

Complainant

-VS-

01. Praveen, Aged 20/2015, (A2)
S/o. Murugesan,
Indira Nagar.
Rameswaram
02. Muthumurugan, Aged 21/2015, (A3)
S/o. Muthuramalingam,
MRT Nagar,
Rameswaram,
(Split up in PRC No. 24/2023)



03. Muneeswaran, Aged 21/2015, (A4)
S/o. Andi @ Thangavel,
MRT Nagar,
Rameswaram.
04. Manikandan, Aged 25/2015, (A6)
S/o. Vellaichamy,
MRT Nagar,
Rameswaram.
(Split up in PRC No. 24/2023)
05. Muneeswaran @ Muneeskumar, (A7)
Aged 19/2015,
S/o. Durairaj,
Manthoppu,
Rameswaram.
06. Mari @ Mariselvam,
Aged 19/2015,
S/o. Kaleeswaran,
Harbor Road,
Rameswaram.
07. Sethu @ Sethupathi Prabakaran,
Aged 23/2015,(A11)
S/o. Rasu,
MRT Nagar,
Rameswaram.
08. Muniyasamy Pandian,
Aged 52/2015, (A12),
S/o. Valivittan,
Rajagopal Nagar,
09. Murugan @ Mookuthi Murugan,
Aged 47/2015, (A13),
S/o. Mookaiah Thevar,
MRT Nagar,
Rameswaram.



10. Poomurugan, (died) Aged 20/2015, (A14),
S/o. Neelamegam,
Indhira Nagar,
Rameswaram.
11. Jothi Murugan, Aged 22/2015, (A15)
S/o. Vadivel,
Manthoppu,
Rameswaram.

(Since A1, A5, A8 and A10 in the charge sheet are Juveniles and they were split up from this case and A3 and A6 were split up from this case as P.R.C. No. 24/2023)

	...	Accused
Date of Occurrence	:	29.10.2015
Date of filing charge sheet	:	17.10.2016
Date of first appearance of the accused	:	18.11.2016
Date of commencement of examination of witnesses	:	06.04.2026
Date of last hearing	:	03.06.2026
Closure of Trial	:	29.04.2026
Date when the defence enquiry was closed	:	03.06.2026
Date of Judgment	:	05.06.2026

**Charges framed against the
A2,A4, A7, A9, A11, A12, A13 and**



**A15 who are referred in charge sheet
u/s 143, 188 of IPC and section 3(1) of
TNPPDL Act.**

Answer of the accused for the charges : Accused pleaded not guilty

Learned Public Prosecutor for the
complainant. : Thiru. B.Karthikeyan

Learned Advocate for the accused : Thiru.Ramamoorthy

Case Summary

(As per the Hon'ble High Court's Circular in R.O.C.No.814/2020/RG/F1 &
P.Dis.No.36/2021, dated 07.04.2021)

<u>S.No.</u>	<u>Description</u>	<u>Date</u>
i)	Date of remand of the accused :	A11- Remanded on 23.11.2015 A11 – Released on 25.11.2015. A2, A7, A9, A12, A13, A15 released on AB on 25.11.2015. A4 released on AB on 01.08.2016.
ii)	Date of the filing of the complaint/Final Report in the Court.	: : 03.11.2015/17.10.2016
iii)	Date of committal of the case to this Court of Sessions	: 11.01.2024
iv)	Date of questioning of the Accused u/s 228/240/246/251 of the Code of Criminal Procedure, 1973 as the case may be	: 01.04.2024

- | | | | | |
|-------|--|--|-------------------|------------|
| v) | Filing of the miscellaneous petitions including the results on challenge before Superior Courts, except routine petitions u/s 317 of the Code. | ---- | | |
| vi) | Date of examination in chief and cross examination of witnesses. | <u>Witnesses -Chief Examination- Cross Examination</u> | | |
| | | P.W.1 | 06.04.2026 | 06.04.2026 |
| | | P.W.2 | 06.04.2026 | 06.04.2026 |
| | | P.W.3 | 07.04.2026 | 07.04.2026 |
| | | P.W.4 | 29.04.2026 | 29.04.2026 |
| | | P.W.5 | 29.04.2026 | 29.04.2026 |
| | | P.W.6 | 29.04.2026 | 29.04.2026 |
| | | P.W.7 | 29.04.2026 | 29.04.2026 |
| vii) | Date of enquiry of the accused u/s 313(1) (b) of Cr.P.C. | : 03.06.2026 | | |
| viii) | Details of absconding of the accused and his appearance/production, as the case may be: | : <u>Abscondance</u> | <u>Production</u> | |
| | | — | -- | |
| ix) | Grant of stay by superior courts and the results thereof: | NIL | | |

(P.R.C.No.26/2016 on the file of the District Munsif-cum-Judicial Magistrate Court, Rameswaram.)



The Sessions case came before this Court on 03.06.2026 for hearing and after hearing the arguments on both side and the documents and after having stood over till this day for consideration, this Court delivers the following:

//JUDGMENT//

This case arose out of the Final Report filed by the Jetty Police in Crime No. 75/2015 against the accused for the offences punishable u/s 143 and 188 of IPC and section 3(1) of TNPPDL Act alleging that during the journey towards Pasumpon Thevar Memorial, all the accused raised slogans in praise of Thevar and damaged the bus seats, window rails and also broke the back side wind screen on 29.10.2015 at 05.00 P.M.

A. Cognizance :-

2. The final report was filed before the District Munsif -cum- Judicial Magistrate, Rameswaram who took cognizance u/s. 143 and 188 of IPC and 3(1) of TNPPDL Act in PRC.No. 26/2016 and issued summons to the accused. On appearance of the accused, copies were furnished to them as required under section 207 Cr.P.C., and the case was committed to



the Principal District and Sessions Judge, Ramanathapuram. The Principal and Sessions Judge, Ramanathapuram had assigned S.C.No.31/2024 and had taken the case on file.

B. FRAMING OF CHARGES:-

3. During pendency of the case, Serial No.10 Poomurugan (A14) died and the charges against him abated. On opening of the prosecution u/s.226 and after hearing both sides, this court had framed distinct charges u/s 143 and 188 of IPC and section 3(1) of TNPPDL Act against the accused. On being questioned about the charges so framed, all the accused pleaded not guilty and hence trial proceedings were issued by this Court.

C. WITNESSES AND DOCUMENTS

4. In order to prove their case, prosecution have examined P.W.1 to P.W.7 as witnesses and marked Ex.P.1 to Ex.P.6. The properties P.M.O.1 to P.M.O.3 were marked on the side of the prosecution. No witnesses and documents were produced on behalf of the accused.



D. FACTS OF THE CASE:

5. The facts of the case as revealed from the evidence of the prosecution are as follows:

(i) On the eve of Pasumpon Thevar Gurupooja, special buses were arranged to take the devotees from Rameswaram to Pasumpon Thevar Memorial on 29.10.2015. Accordingly, Tr. Ilayarasu who was the Traffic Controller at that time had processed the request and allotted 5 to 6 buses for taking the passengers from Rameswaram to Pasumpon. The TNSTC bus with registration No. TN 63-N-1460 was pressed into the service and Tr.Kannan (P.W.1) and Tr. Kalidoss (P.W.2) were allotted duty as Conductor and Driver respectively of the said bus.

(ii) As per the instructions, Tr. Kannan (P.W.1) Conductor and Tr. Kalidoss (P.W.2) Driver had taken the TNSTC bus bearing registration No. TN63-N-1460 from Rameswaram bus depot and picked up 55 passengers from MRT Nagar, Rameswaram at 5.00 P.M. and went towards Pasumpon Thevar Memorial. Tr. Kannan (P.W.4) S.I. of Police, Jetty Police Station and Tr. Elumalai (P.W.5) Head Constable of Meenjur Police Station who was deputed on special duty, accompanied the said passengers on escort. During the journey, some 15 passengers raised slogans in praise



of Thevar and damaged the bus seats, window rails and also broke the back side wind screen. Even though, Tr. Kannan (P.W.1) and Tr. Kalidoss (P.W.2) including Tr. Kannan (P.W.4) S.I. of Police and Tr. Elumalai (P.W.5) Head Constable attempted to prevent them from doing so, they could not stop them from damaging the bus. The passengers were dropped at Pasumpon at 9.30 P.M. and the matter was informed to the Branch Manager of Rameswaram Bus Depot. Thereafter, the passengers were again picked up from Pasumpon Thevar Memorial at 01.30 A.M. on the next day and reached Rameswaram and dropped them at MRT Nagar. On the way back, the Branch Manager inspected the bus and instructed Tr. Kannan (P.W.1) to give police complaint. Accordingly, Tr. Kannan (P.W.1) Conductor had given Complaint (Ex.P.1) to the Jetty Police. The said complaint (Ex.P.1) was received by Tr. George, S.I. of Police (L.W.8) (not examined since died) who was on duty on 30.10.2015 at 06.15 P.M. and F.I.R. (Ex.P.4) was registered in Crime No. 75/2015 u/s 147 of IPC and Section 2 and 3 of TNPPDL Act r/w 188 of IPC. The said complaint was taken up for investigation by Tmt.Amudha Selvi (L.W.9) (not examined since died) at 22.00 hours and she had inspected the damaged bus and examined Tr. Kannan (P.W.1) and Tr. Kalidoss (P.W.2) and recorded their



statements. Later, she seized the broken wind screen glass pieces (M.O.1 to M.O.3) under Form 91 (Ex.P.5). She later examined P.W.4 and P.W.5 recorded their statements. She had arrested A2, A4, A7 and Poomurugan (A14) on 02.11.2015 and arrested another accused Sethu on 23.11.2015. Since the other accused had obtained anticipatory bail, they were not arrested by her. She examined the other witnesses Tr. Ilayarasu (P.W.3) and obtained letter (Ex.P.2) detailing the allotment to duty to P.W.1 and P.W.2. She sent M.O.1 to M.O.3 to the Magistrate on 10.02.2016 and later prepared Alteration Report (Ex.P.6) altering the sections from 147 of IPC and 2 and 3 of TNPPDL Act r/w 188 of IPC to u/s 143, 188 of IPC and section 3(1) of TNPPDL Act. After completing the investigation, she had filed the final report against the accused.

(iii) Since both Tr.George (L.W.8) and Tmt. Amudha Selvi (L.W.9) had died, the present Investigating Officer Tr. Ramraj (P.W.7) had given the evidence based on the C.D. file and other records.

E. QUESTIONING U/S 313(1)(B) Cr .P.C. :

6. After completion of the prosecution side evidence, the incriminating circumstances appearing against the accused were explained



to them and they were questioned U/S 313(1)(b) Cr.P.C. The accused denied complicity with the offence and claimed that they have been falsely implicated in this case. No evidence was adduced on the side of accused.

F. POINT FOR DETERMINATION :

7. **The point for determination in this case is, “Whether the prosecution has proved the guilt of the accused u/s 143 and 188 of IPC and section 3(1) of TNPPDL Act beyond reasonable doubt ? ”**

8. Heard the arguments of the learned Public Prosecutor and the argument advanced by the defence counsel.

G. DISCUSSION AND ANALYSIS :

9. In this case, even though P.W.1, P.W.2, P.W.4 and P.W.5, the witnesses who had travelled in the bus had deposed about the occurrence, they were not able to identify the persons who had damaged the said bus. In fact, P.W.1 and P.W.2 have categorically stated that they do not remember the persons who had caused the damages. Similarly, P.W.4 and P.W.5 have deposed in their evidence that out of 55 passengers only 15 passengers had indulged in vandalism and caused damages. However, they too could not



identify the said persons who caused the damages. It is equally important to note that no test identification parade was conducted by the police to fix the identity of the persons involved in the said occurrence.

10. Be that as it may, even though charges u/s 188 of IPC are framed, the prosecution has not produced any order promulgated by the public authority and as required u/s 188 of IPC. There is absolutely no evidence about the promulgation of the said order. The learned Public Prosecutor submitted that it is a regular feature in the District during the period of Guru Pooja of Pasumpon Muthuramalinga Thevar to promulgate ordinance to make public order and they will be published in daily newspapers and public places. However, no documents or evidence was let in to establish the same. Therefore, this Court cannot hold that the ingredients of section 188 of IPC are satisfied in this case.

11. Similarly, the offence u/s 143 also is not made out in the considered opinion of this Court. It is pertinent to note that the case of the prosecution is that the devotees were picked up from Rameswaram and were taken to Pasumpon Thevar Memorial upon their request by arranging



special buses. This clearly indicates that the passengers who had assembled and had travelled in the bus cannot be treated as an unlawful assembly so as to attract section 143 of IPC. No doubt, it is true that a lawful assembly can turn into an unlawful assembly subsequently. But it has to satisfy the ingredients of section 141 of IPC. Since the accused were not identified and there is no iota of evidence to show that these accused had caused damages to the bus, no offence u/s 143 of IPC is established by the prosecution.

12. Similarly, in the absence of any evidence of specific identity of the accused or evidence that were the persons who had caused the damages to the bus, it cannot be held that the prosecution has established the guilt of the accused for the offence u/s 3(1) of TNPPDL Act.

13. Therefore, in view of the discussion made above, it is held that the prosecution has miserably failed to establish and prove the guilt of these accused for the offences u/s 143 and 188 of IPC and section 3(1) of TNPPDL Act beyond reasonable doubt. This point is decided accordingly.



In the result, the accused A2,A4, A7, A9, A11, A12, A13 and A15 who are referred in charge sheet are found not guilty for the offences u/s 143 and 188 of IPC and section 3(1) of TNPPDL Act and they are acquitted u/s 235(1) of Cr.P.C. The charges against the accused (A14) stands abated.

The properties (P.R.No. 28/2024) M.O.1 to M.O.3 glass pieces of the bus are ordered to be destroyed after the expiry of appeal period. The bail bond executed by the accused if any shall automatically be cancelled after the appeal time is over or after disposal of the appeal if any filed.

This Judgment was dictated to the Executive Assistant, transcribed and typed by her on computer and delivered by me in open Court on 05th day of June 2026.

Principal Sessions Judge,
Ramanathapuram.



ANNEXURE :

Prosecution Witnesses:

P.W.1	-	Thiru. A. Kannan, Conductor
P.W.2	-	Thiru. Kalidoss, Driver
P.W.3	-	Tr. Ilayarasu, Traffic Controller
P.W.4	-	Tr. Kannan, S.I. of Police,
P.W.5	-	Tr. Elumalai, Head Constable
P.W.6	-	Tr. Karuppasamy
P.W.7	-	Ramraj, Investigating Officer

Prosecution Exhibits:

Ex.P.1	01.11.2015	-	Complaint
Ex.P.2	16.11.2015	-	Letter of TNSTC.
Ex.P.3	30.10.2015	-	Damage Certificate
Ex.P.4	01.11.2015	-	First Information Report.
Ex.P.5	-	-	From -91
Ex.P.6	12.02.2016	-	Section Alteration Report.

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Material Object marked by the prosecution :

01. Broken Glass pieces of the bus
02. Broken Glass pieces of the bus.
03. Broken Glass pieces of the bus.

Defence side Witnesses and documents: NIL

Principal Sessions Judge,
Ramanathapuram.

TNRM010004952024



Principal Sessions Court,

Ramanathapuram

Sessions Case No. 31/2024

Fair Judgment

Dated: 05.06.2026