

CrI.OP(MD) No.13963 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.08.2026

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**CrI.OP.(MD)No.13963 of 2025**  
**and CrI.MP(MD) Nos.11204 & 11205 of 2025**

V.Kanal Kannan

... Petitioner

Vs

1. The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
Kanniyakumari Ccd-Iii Police Station,  
Kanniyakumari District.  
Crime No. 16/2023.

2. M.Austin Bennet

... Respondents

**PRAYER:** Criminal Original Petition is filed under Section 528 of BNSS., to call for the records relating to the impugned charge sheet in C.C.No.541/2024 on the file of the Judicial Magistrate II, Nagercoil and quash the same.

|                 |                                                                    |
|-----------------|--------------------------------------------------------------------|
| For Petitioner  | : Mr. Karthikeyan, Senior Counsel<br>for Mr.H. Velavadhas          |
| For Respondents | : Mr.V.Shathurthi Raja<br>Government Advocate (CrI.Side)<br>for R1 |



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## **ORDER**

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The present petition has been filed by the sole accused in CC No. 541 of 2024 on the file of Judicial Magistrate No.II, Nagercoil seeking to quash the criminal case, wherein, he is charged with the offence under Sections 295 A, 505(2) IPC.

2.. Perusal of the charge sheet reveals that the petitioner herein is the State President of the Art and Culture Wing of Hindu Munnani and is maintaining a Twitter account under the name “kannan\_kanal”. On 18.06.2023, at about 05.50 p.m., he had posted a video on his Twitter account, wherein a foreign Pastor was dancing with a lady. Along with the said video, the petitioner had posted a caption stating that the said video shows the original state of foreign religious culture and calling upon all Hindus to think over it. The said caption was found to be offensive, and the defacto complainant, who belongs to the Christian community, lodged a complaint, which culminated in the registration of the FIR and filing of the final report for the offences punishable under Sections 295A and 505(2) of the IPC.



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3. According to the learned Senior Counsel appearing for the petitioner, the alleged video is not a deepfake video and the petitioner has uploaded the original video. He further submits that the petitioner has not used any obscene caption with an intention to create enmity among the religions and no rumours have been spread through the said Twitter post. In such circumstances, the ingredients of the offence under sections 295A, 505(2) of IPC are not attracted. He further submits that the defacto complainant is a highly sensitive person and the issue cannot not be viewed from his angle.

4. Notice was served on the defacto complainant on 09.09.2025 itself and his name is also printed in the cause list. However, he has not appeared either in person or through counsel. In such circumstances, this Court is constrained to decide the case on merits based on the submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

5. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that the petitioner has been continuously uploading such kind of videos and is habitually creating enmity among various religious



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groups. He further submits that the video, in which, a Pastor dancing Abroad with a lady, along with the caption posted by the petitioner, is likely to create enmity between different religious groups and hence, action has been initiated against the petitioner.

6.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent and perused the materials available on record.

7.As could be seen from the charge sheet, a video has been uploaded by the petitioner in his Twitter account, wherein, a Pastor is dancing with a lady in a foreign country. There is no allegation that the video is a deepfake video. As far as the caption is concerned, the petitioner has stated that the said video depicts the original state of foreign culture and therefore, Hindus should think it over. The alleged caption is not meant for the Christians. It is addressed to the Hindus.

8.In such circumstances, this Court is of the considered opinion that the ingredients of the offence under Sections 295 A, 505(2) IPC are not attracted. The continuation of criminal proceedings against the petitioner would



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only be an abuse of process of law. Hence, the charge sheet in C.C.No. 541/2024 on the file of the Judicial Magistrate II, Nagercoil is hereby quashed.

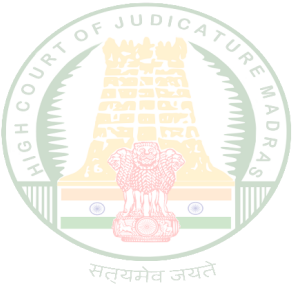
9. With the aforesaid observations, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

**24.08.2026**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
PNM

To

1. The Judicial Magistrate II, Nagercoil
2. The Inspector of Police,  
Kanniyakumari Ccd-Iii Police Station,  
Kanniyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**R.VIJAYAKUMAR, J.**

PNM

ORDER MADE IN  
**Crl.OP.(MD)No.13963 of 2025**  
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**24.08.2026**