IN THE COURT OF Special Court to try all the Magisterial Cases involving elected MPs/MLAs of Chennai / III Metropolitan Magistrate / III Judicial Magistrate, GEORGE TOWN, CHENNAI DISTRICT.

PRESENT: Tr. C. Sundarapandian, B.Com., B.L.,

Wednesday, 23rd day of September 2026

CALENDER CASE NO. 222 OF 2026
(CNR. NO TNCHOB-011513 -2026)
Case Summary

Sl. No.	Description	Details
1	The period of remand of the accused:	Nil
2	The date of filing of the complaint/final report in the Court;	25.08.2025
3	The date of committal of the case to the Court of Session;	Nil
4	The date of questioning of the accused under Sections 228, 240, 246 and 251 of the Code of Criminal Procedure, 1973, as the case may be;	13.08.2026
5	Filing of all miscellaneous petitions and their results including The results on challenge before superior Courts; except routine Petitions like petitions under Section 317 of the Code;	1. Advance Hearing petition filed by Accused in Crl.M.P.No. 4036 of 2026 is allowed on 07.08.2026. 2. Surrender Petitioner filed by Accused in Crl.M.P.No. 4037of 2026 is allowed on 07.08.2026. 3. Petition under Section 70(2) Cr.PC., to Re call NBW filed by Accused in Crl.M.P.No.4038 of 2026 is allowed on 07.08.2026. 4. Petition U/s 267(1) BNSS filed by Accused in Crl.M.P 4144/2026 is allowed on 18.09.2026. 5. Petition under Section 280 of BNSS filed by

		Complainant in Crl.M.P.No. is allowed on 18.09.2026. 6. Accused has preferred Criminal Revision petition in Crl.R.C No. 645 of 2026 before the Honorable High Court, to set aside, Crl.M.P No.7141/2025 on the file of III Metropolitan Magistrate, George Town, Chennai. 7. Honourable High Court vide Order in Crl.R.C.No.645 of 2026 in para 26, held that, the Trial Court is directed to complete the Trial within a period of six months.
6	Date of examination in-chief and cross-examination of witness;	Witness Chief Cross P.W.1 03.09.2026 ----------
7	Date of examination of the accused under Section 313 of the Code;	-
8	Details of abscondence of an accused and his Appearance / production, as the case may be;	Accused was absent and absconded on 02.09.2026. Petition under Section 70(2) Cr.PC., filed by Accused in Crl.M.P.No.4038 of 2026 is allowed on 07.08.2026.
9	Grant of stay by superior Courts and the results thereof	Nil
10	Details of Victim Compensation Ordered	Nil

Sl. No.	**Description**	**Details**
1	Name of Complainant	Uma Anadan, W/o.S.Anandan,(Late) No.7, Old No.5,

		Veerabadran Street, Nungambakkam, Chennai – 600 003.
2	Name of the Accused:	K.Ponmudy, S/o.late. M.Kandaswamy, No.1b, Temple Avenue, Srinagar Colony, Saidapet, Chennai – 600 015.
3	Charges against the accused :	The charges against accused are that on 06.04.2025 in the centenary celebration, in memory of their party member Thiruvarur Thangaraj, at DMK Youth Wing Head Office, viz., Anbagam, at No.614, Annasalai, Teynampet, Chennai and Accused spoke that, A Man goes to a Prostitute's House. Where the women asks him, Are you Shaivites or a Vaishnavite. But, he could not understand anything. She was right when she asked him how much money Five or Ten. Therefore, he asked what it mean. Then she told him if Shaivites lie down, Vaishnavite stand up, like wise, he spoke in Adults only Debate and takes steps to spread Principles of Dravidian Ideology. Which was downloaded by Complainant, upon viewing and hearing the same, from You Tube Platform viz., "Neerthirai" in her mobile phone. Hence, Accused made the offensive speech of promoting hatred and ill will between Hindu religion and regional group of atheist, the Accused intentionally outraging, insulting and wounding Hindu Religion, Religious feelings and belief. Hence, the Complaint.
4	Plea of accused.	Pleaded Not Guilty.
5	Finding of the Judge :	Accused found not Guilty.
6	Sentence or order :	**In the result,** in view of reasons stated above, since the Complainant has filed Petition to withdraw the Complaint dated 03.09.2026, the charges against Accused for offence under

		Sections U/s. 196 (1) (a), 299 and 302 Bharatiya Nyaya Sanhita are not proved by the prosecution beyond all reasonable doubts. Hence, for the above said reasons, the Accused is not found guilty of the offences stated supra and he is acquitted from above said the charges u/s 271 (i) of BNSS. Property Order: Nil
7	Pleader for the accused :	M/s. Aswin prasanna, S.Agileshkumar, A.K.Sachindhar Learned Advocates.
8	Prosecution conducted by :	Tr.S.Makesh Learned Advocate.

Originally, Complaint under Section 233 (1) of BNSS was filed on 12.06.2025 against sitting MLA K.Ponmudy before Learned XVIII Metropolitan Magistrate, Saidapet, Chennai – 15 in Crl.M.P.No.8635 of 2025 and the same was transferred since lacks of jurisdiction to entertain the Complaint when Special Court has been constituted for trial of offences relating to MP's and MLA's of Tamil Nadu and the same was transferred on 01.08.2025 to the Assistant Sessions Judge Special Court for Trial of offences relating to MP's and MLA's of Tamil Nadu. On 12.08.2025 the Assistant Sessions Judge Special Court for Trial of offences relating to MP's and MLA's of Tamil Nadu has directed to submit the records to the designated court since Special Court has been abolished. Hence, the case records were submitted before Special Court to try all the Magisterial Cases involving elected Mps/MLAs of Chennai / III Metropolitan Magistrate on 25.08.2026. Prima facie case is made out against Respondent and this court has taken Cognizance of offences against Respondent / Accused in Crl.M.P.No. 7141 of 2025. Summon issued to Accused and the case is posted the matter to 24.03.2026. This case having been taken on file on 24.03.2026 and came up for final hearing before me on 18.09.2026 in the presence of Tr.S.Makesh Learned Advocate on behalf of the Complainant and M/s.Aswin prasanna, S.Agileshkumar, A.K.Sachindhar, Learned Advocates on behalf of the

accused, upon perusing records, upon hearing arguments of both side and having been stood over for consideration till this date, this court delivered the following:

JUDGMENT

The complainant has filed a private complaint against Accused for offences under Section 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita 2023.

2. The Complainant has taken sworn statement on 16.10.2025 and let in her pre- cognizance evidence initially. On perusal of entire case records and the Exhibits, prima facie case for offence under Section 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita 2023 was made out against the accused as the ingredients was satisfied on record. Hence, this court takes cognizance of the offence against accused for the offence stated supra to be tried as per Calendar Case procedure as mandated under Section 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita 2023. After perusing the records, this court has taken cognizance of the case. On appearance of accused, free copies of the records in compliance of Section 230 of BNSS were furnished to him. After perusal of the records, as there was a prima facie case against the Accused, the substance of the allegation of the offence u/s 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita 2023 was read over, explained and questioned in Thamizh and the accused denied the same and claimed to be tried.

3. On the side of prosecution, during pre-cognizence evidence stage, Kavitha W/o. Senthilkumar was examined as PW1. After taking Cognizance, the

Complainant / PW.1 examined in chief in full on 03.09.2026. On the side of defence, the accused neither examined any witness nor marked any exhibits.

4**. <u>The Brief of the complaint are as follows:</u>**

Complaint is filed under section 223(1) of BNSS, for offence, Section 196(1)(a),299 and 302 of BNS, 2023, against accused for uttering words, signs, promoting hatred and ill will towards the Hindu religion, outraging the Hindu religious feelings also insulting the Hindu religion and the religious belief of the class of citizens of India, which includes the complainant, by further wounding the Hindu religious feelings of every individual who are all following the religion, including the complainant, deliberately with malicious spoken words, signs and gesture which is available ubiquitously in electronic and social media. Offence is committed by the accused on 06.4.2025, in the centenary celebration, in memory of their party member namely Thiruvarur Thangaraj, at the DMK Youth wing Head Office, namely Anbagam, located at No.614, Annasalai, Teynampet, Chennai, within the limits of the E-3 Teynampet Police Station, Teynampet, Chennai within the jurisdiction of this Hon'ble Court. Besides, the recorded offensive video uploaded in the YouTube platform (www.Youtube.co./watch?v=tGSNX7Mpxcl was viewed by the complainant which held within the jurisdiction of this Hon'ble Court but the same is not available online at the time of filing the complaint and hence the complainant has filed the downloaded content from the YouTube platform <u>WWW.Youtube.co@neerthirai</u>. On

18.4.2025, she has lodged complaint against accused before F-3 Nungambakkam Police Station, but the authorities refused to accept the complaint initially and upon further insistence, they received the complaint but no action was initiated. Subsequently, she had lodged the complaint sending through email ID from andanu460@gmail.com to cop.chncity@tncctn.gov.in, dgp@tngov.in.homesec@tn.gov.in, sho.nungambakkam@tncctns.gov .in on 19.4.2025, which was not delivered for the reason address not found besides no action is initiated by the concerned authorities yet on any other complaint. Complainant against Accused is consequent to the malicious words spoken by the accused deliberately promoting the hatred towards the religion outraging the religious feelings besides insulting the religion and religious belief of the complainant, being the citizen of India belonging to the class of Hindu religion, moreover wounding the religious feelings of the complainant individually with words and disgusting gesture knowing very well that his spoken words, signs and gesture would be heard and viewed by the class of citizens of India belonging to the Hindu religion. Complainant's religion is Hindu and being saivist as such she is the ardent devotee of Hindu God having faith and belief of the customs, culture, rites and rituals followed in the Hindu religion particularly the symbols used by the people of Hindu religion denoting and highlighting the reverence of them towards God. While, the devotees of Lord Shiva who are all called as saivites used to apply sacred ashes upon their forehead, on idol, also on other materials during worshipping in auspicious occasions

with the mark of three parallel lines namely " Pattai" in Tamil language as a symbol of them, besides the vaishnavist the devotees of Lord Vishnu used to apply with the mark of a vertical line surrounded only by the mark 'U' or with extended line at the bottom of the sides of 'U' mark namely "Namam" in tamil language upon their forehead, on idol, and other materials during worshipping in auspicious occasions as a symbol of vaishnavism highlighting that both the sections are having feeling of innate sense of affinity with the God bestowing the blessings of HIM. While the usage of aforementioned religious symbols is empirically merged and associated with the natural course of the revered life of both the sections of the people of Hindu religion, to her shock and surprise, the accused herein by signs, gesture, particularly by words, has spoken deliberately intrepid, highly derisive, malicious statement that the sacred divine symbol namely 'Pattai' and 'Namam' in Thamizh language used by Hindus are narrated as innuendo symbol by the sex workers to question their customers the position they need, prefer and desire for sexual intercourse also charge Rupees Five for 'Namam' and Rupees Ten for 'Pattai' for having sexual intercourse by standing and lying respectively, by outraging and insulting Hindu religion, their religious belief and feelings, as if the symbols are not meant for divine reverence but for the facility of sex workers to narrate the position of sexual intercourse by innuendo,also instigating the hatred towards the Hindu religion against the law and conscience of the society which protects the religious sentiments of every person, in the organization namely THANTHAI PERIYAR DRAVIDAR KAZHAGAM,

meeting convened by an on 6.4.2025, at Anbagam, Teynampet which propagates the ideology of atheism. Accused has stated the following statements in the aforementioned meeting held on 06.4.2025, which is provided herein verbatim:

"காமச்சுவையை –இந்த அடல்ஸ் ஒன்லி பட்டிமன்றம் என்ன தலைப்பு தெரியுங்களா கடவுள் கொள்கையை பரப்புவதில் அதிகம் கையாண்டது சைவமே வைணவமே இதான் தலைப்பு சைவமே வைணவமே காமச்சுவை பரப்புவதில் இந்த மகளிர்ல்லாம் கொஞ்சம் பேர் இருக்காங்க இல்ல, ஆனா அதுக்கு மகளிருக்கே நிறையடிக்கெட் கொடுத்து வரவழிச்சிருந்தார் ராமகிருஷ்ணன். அதுல ஒரு இடத்துல சொல்லுவோம். சொல்லலாமா ராமகிருஷ்ணன்? அதுல சொல்லுவோம் ஒருத்தரும் தப்பா நினைச்சுக்காதீங்க மகளிர், ஒரு விலைமாது வீட்டுக்கு ஒருத்தன் போறான், போகும்போது அங்க அந்த அம்மா கேக்குது. நிப்பாட்டு நீங்க சைவமாவைணவமா அப்படின்னு கேக்குது. அவனுக்கு ஒன்னும் புரியல. அவன் பணம் எவ்வளோ அஞ்சு குடு, 10 குடுன்னு கேட்டான்னா, ரைட். என்னடா இங்க வந்துருக்கறோம், நாம ஒரு விலைமாது வீட்டுக்கு நம்மள வந்து சைவமாவைணவமான்னு கேக்குறாங்க அப்படின்னா என்னான்னு கேட்டான். அந்த அம்மா சொல்லிச்சாம், என்ன ஒன்னும் புரியலையா அப்படின்னுசாம். ஒன்னும் இல்ல, சைவம்னா இப்படி, வைணவம்னா இப்படின்னுச்சாம். ஒன்னும் புரியல. என்ன சொல்ற. இது விபுதி, இதுதான் அதுல என்ன இருக்கு, அப்படின்னா இல்ல. சைவம்னா படுத்துகிறது, வைணவம்னா நின்னுகிறது. நின்னுங்கின்னா அஞ்சு, படுத்தா பத்து. இதெல்லாம் இப்ப இந்த அடல்ஸ்ஒன்லிபட்டி மன்றத்தில் நாங்க பேசி பேசி இந்ததிராவிட இயக்கத்தினுடைய கொள்கைகளை பரப்புவதற்காக எடுத்துக்கொண்ட பெரும் நடவடிக்கை"

The above said, demeaning, derisive and derogatory speech of the accused is recorded by video and the total display duration of recorded video uploaded by NeerthiraiMedia in YOUTUBE platform (WWW.Youtube.co.@neerthirai) is 26.59 electronic media minutes which also widely displayed in channels and social media

such as Twitter.com, Facebook. Com and instagram. Further in the uploaded video of YOU TUBE platform, the appropriate derisive and inimical statement comes between the play time 4.18 to 8.12 minutes exactly at 6.54 minutes. Hence, the downloaded version of video of the same is provided herewith by pendrive. It is well known fact that the accused is having abhorrence towards the Hindu religion and their belief, hence, in furtherance of the same he had stated the abovementioned abusive, humiliating, inimical, statements, deliberately, with the intention to outrage and wound the religious feelings with the insult to the religion and the belief by further wounding the religious feelings of class of citizens of India who are all following the Hindu religion including the complainant in order to propagate the ideology of disbelieving the Hindu Gods and the religious belief by creating Hindu religion which is punishable U/s. 196(1)(a) 299 and 302 of BNS 2023. In the offensive video the accuse had recollected and reminded a person namely Mr.Ramakrishnan, sitting on the dais as participant in that meeting about the aforementioned disgusting speech of him in the "Adults Only" debate held in the past under the caption **"கடவுள் கொள்கையை பரப்புவதில் காம சுவையை அதிகம் கையாண்டது "சைவமே" "வைணவமே"** with intonation by outraging, insulting, Wounding the religion, religious belief and Feelings of Hindus. The sarcastic and derisive statement of the accused, with the clear intention to promote hate and ill- will against the Hindu religion, outrage, insult and wound the religion, religious belief and feelings of the

Hindus by depicting that the symbols used by the salivate and vaishnavist are the symbols of sexual positions and not the symbols of reverence to God by them falls within the ambit of the Section 196 (1)(a),299 and 302 of BNS 2023 and deserve for punishment. Accused deliberately and intentionally to hurt the religious feelings of the majority of the people of Hindu religion also being desperate having not able to achieve and spread the atheist ideology especially among the majority of Hindu religious people in the society had reminded the derogatory and demeaning remarks made by him about the symbols of savaite and vaishnavist in the past. Hence, the complaint.

5. Pending trial, on 06.08.2026 The Learned Counsel for Complainant has submitted that Honourable High Court vide Order in Crl.R.C.No.645 of 2026 in para 26, held that, the Trial Court is directed to complete the Trial within a period of six months. The Learned Counsel for Accused Tr.Aswinprasana has filed Petition under Section 355 of BNSS to condone the Absence of Accused. The same was seriously objected by the Learned Counsel for Complainant for the reason that there is continuous non Appearance of Accused. In view of serious objections from Complainant, and in view Direction of Honourable High Court to complete the Trial, within a period of six months, since the Absence of Accused hinder proceedings of this Case, the Petition under Section 355 of BNSS filed by Learned Counsel for Accused, citing reason for absence that illness without adducing any Medical

Records for immobilization of Accused, hence, the same is dismissed and Non Bailable Warrant was issued against Accused. Thereafter, accused has appeared and filed Petition under Section 72 (2) of BNSS to Recall Non Bailable Warrant and the Non Bailable Warrant issued on 06.08.2026 is recalled on 07.08.2026.

6. **Now the point for determination is:**

Whether the complainant has proved the allegations against the accused beyond all reasonable doubts and if so what are the offences committed by the accused?

7**. Gist of defence of the Accused is as follows:**

The Learned Counsel for Accused would submit that to attract S.196(i)(a) of BNS, There shall be two groups, so as to create enmity. There is no such Two groups in the case. Hence, S. 196 (I) (a) of BNS is not attracted. To attract S.299 of BNS, Deliberate and malicious acts, intended to outrage religious feelings of any class of people. There is no such class of people in this case. Hence, S.299 BNS also is not attracted. To attract S.302 of BNS deliberate intention of wounding the religious feelings of any person, utters any word or sound in the hearing of the person. In this case Complainant is not that person. Further, No previous sanction is obtained to lodge Complaint, under Section 217 of BNSS. False Case. Hence, the complaint is liable to be dismissed.

8. This court has carefully perused the records and the materials available in the case Records. For properly appreciating the facts of the case and the legal aspects to be determined, a reference is necessary to the relevant statutory provisions. The offense levelled against accused under Bharatiya Nyaya Sanhita 2023 are as follows.

(i) Section 196. (1) Whoever— (a) by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or…

The following are the essential ingredients for constituting the offence 196.

Section 196 BNS covers a case where a person by words either spoken or written or by sings or by visible representations promotes or attempts to promote such feeling.

Intention to cause disorder or incite to violence is sine quo non to establish the charge of creating disharmony in society.

(ii) Section 299. Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or through electronic means or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

The following are the essential ingredients for constituting the offence 299.

An insult (or an attempt to insult the religion or religious belief) was done to outrage the religions feelings of any class of citizens of India.

Such an act was done by words (either spoken or written) or by signs or by visible representations or otherwirs,

Such an act must be with deliberate and malicious intention.

(iii) 302. Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

The following are the essential ingredients for constituting the offence 302.

The accused wounded the religious feelings of some person or persons,

The accused did so by uttering some words or making any sound in the hearing of that person or by making any gesture in the right of that person or by placing any object in the right of that person,

The accused did so with deliberate intention.

9. The charge against accused by Complainant is that on 06.04.2025 in the centenary celebration, in memory of their party member Thiruvarur Thangaraj, at DMK Youth Wing Head Office, viz., Anbagam, at No.614, Annasalai, Teynampet, Chennai and Respondent spoke, that A Man goes to a Prostitute’s House. Where the women asks him, Are you Shaivites or a Vaishnavite. But, he could not understand anything. She was right when she asked him how much money Five or Ten. Therefore, he asked what it mean. Then she told him if Shaivites lie down, Vaishnavite stand up, like wise, he spoke in Adults only Debate and takes steps to

spread Principles of Dravidian Ideology. Which was downloaded by Complainant, upon viewing and hearing the same, from You Tube Platform viz., “Neerthirai” in her mobile phone. Hence, Accused made the offensive speech of promoting hatred and ill will between Hindu religion and regional group of atheist, the Accused intentionally outraging, insulting and wounding Hindu Religion, Religious feelings and belief. Hence, the Complaint. A careful perusal of records would reveals that the Accused has made speech which is available is Social Media Platform “You Tube”, where alleged hate speech is made by Respondent. The Complainant has lodged Complaint before Police. The Police has filed closure Report. The Complainant has filed private Complaint. The same was recorded in the Direction of Hon’ble High Court. The alleged hate speech made by Respondent is admitted fact. The Learned Counsel for Complainant has submitted that state mechanism fails to take cognizance. Hence, he has filed Private Complaint and has highlighted Hon’ble Supreme Court citation in a case between Pravasi Bhalari Sangatham Vs. Union of India and other reported in (2014) II SCC 477. Prima facie case is made out against Respondent for offences Under Section 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita, 2023. This Court is inclined to take Cognizance of the above said offences against Accused. Thereafter, summons to Accused for Preparation of Copies under Section 230 of BNSS were ordered by Allowing Crl.M.P.No.7141/2025 is Allowed. C.C.No.222 of 2026 was assigned.

10. The Learned Senior Counsel for Accused has submitted that this complaint cannot be used to use as tool and Prima facie there is legal Bar for Complaint. The speech is made in closed Hall. It is probagated 50 years Ago . To attract S.196(i)(a) of BNS,. There shall be two groups, so as to create enmity. There is no such Two groups in the case. Hence, S. 196 (I) (a) of BNS is not attracted. To attract S.299 of BNS, Deliberate and malicious acts, intended to outrage religious feelings of any class of people. There is no such class of people in this case. Hence, S.299 BNS also is not attracted. To attract S.302 of BNS deliberate intention of wounding the religious feelings of any person, utters any word or sound in the hearing of the person. In this case Complainant is not that person. Further, No previous sanction is obtained to lodge Complaint, under Section 217 of BNSS. Hence, the Complaint is liable to be dismissed.

11. Whereas, The Learned Counsel for Complainant has submitted that state mechanism fails to take cognizance. Hence, she has filed Private Complaint and has highlighted Hon'ble Supreme Court citation in a case between Pravasi Bhalari Sangatham Vs. Union of India and other reported in (2014) II SCC 477. Since, the contentions made by Learned Counsel for Respondent are matter for Trial the case is posted for Prosecution side evidence.

12. Be that as it may, in order to substantiate the case of prosecution PW.1 Uma Anandan was examined on 03.09.2026 and has not marked any exhibits. At this juncture, on 03.09.2026 when the case is pending for Prosecution side Evidence, P.W1 Uma Anandan / Complainant has entered in to witness box, filed Petition to withdraw the Complaint along with Affidavit, stating that she is Complainant in this case. The accused spoke very disparagingly about Saivism and Vaishnavism in public, hurting religious sentiments, and I therefore filed this complaint. Now, since the accused has stated in public that he apologizes for what he said about Saivism and Vaishnavism and that he will not speak thus in future, I am withdrawing my case. The accused has also personally expressed regret and sought my forgiveness. He expressed sorrow in the interest of maintaining communal harmony in society. Further, taking into account the accused's age and his health condition, I am withdrawing this case. It is human nature to err and divine to forgive; as I am a person of spiritual belief, in accordance with this principle I am withdrawing the case. This withdrawal of the case is my own personal and voluntary decision, made without any pressure or compromise from anyone. In this regard, I have filed a petition to withdraw the case. The signature on the said petition is indeed mine, and that signature is marked as Ex.P-1. The said petition is marked as Ex.P-2. I do not wish to pursue this case any further. I have no objection to the dismissal of this case. I have no objection to discharging the accused in this case. There are no further documents. Judgment may be passed in terms of the petition. The case should be

dismissed.

13. The relevant portion of Chief - Examination of PW.1 dated 03.09.2026 is as follows:

நான் மேற்கண்ட முகவரியில் வசித்து வருகிறேன். நான் இந்த வழக்கில் புகார்தாரர் ஆவேன். எதிரி K.Ponmudy என்பவர் மீது U/s. 196(i) (a), 299, 302 of Bharatiya Niyaya Sanhita 2023 ன் கீழ் வழக்கு தாக்கல் செய்து தற்போது இவ்வழக்கு நிலுவையில் உள்ளது. எதிரி சைவம் வைணவம் குறித்து ரொம்பவும் அசிங்கமாக பேசி மதஉணர்வை புண்படுத்தினார். அதனால் இந்த புகாரை தாக்கல் செய்திருந்தேன். இந்நிலையில், எதிரி பொதுவெளியில் சைவம் வைணவம் குறித்து நான் பேசியதற்கு மன்னிப்பு கேட்கிறேன் என்றும், இனிமேல் பேசமாட்டேன் என்று சொன்னதானால் நான் என் வழக்கை Withdraw செய்துக்கொள்கிறேன். எதிரி தனிப்பட்ட முறையிலும் என்னிடம் வருத்தம் தெரிவித்து மன்னிப்பு கேட்டார். சமுதாயத்தில் நல்லிணக்கத்தை பேணவும் வருத்தம் தெரிவித்து எதிரி என்னிடம் சொன்னார். மேலும் எதிரியின் வயதை கருத்தில் கொண்டும், அவரது உடல்நிலையை கருதியும் நான் இந்த வழக்கை திரும்பபெற்றுக்கொள்கிறேன். தவறு செய்வது மனித இயல்பு மன்னிப்பது தெய்வ செயல் நான் தெய்வீக நம்பிக்கை கொண்டதால் மேற்படி கோட்பாட்டிற்கு இணங்க இந்த வழக்கை திரும்ப பெற்றுக்கொள்கிறேன். இந்த வழக்கை திரும்ப பெற்றுக்கொள்வது என்னுடைய தனிப்பட்ட சுய முடிவு, யாருடைய வற்புறுத்தலும் இல்லாமல் எந்த வித சமாதானமும் இல்லாமல் இந்த வழக்கை திரும்ப

பெற்றுக்கொள்கிறேன். இது குறித்து இந்த வழக்கை திரும்ப பெற்றுக்கொள்ள மனு தாக்கல் செய்துள்ளேன். மேற்படி மனுவில் உள்ள கையொப்பம் என்னுடையது தான். அந்த கையொப்பம் **பு.த.சா.ஆ.1** ஆகும். மேற்படி மனு **பு.த.சா.ஆ. 2 ஆகும்**. மேற்கொண்டு இந்த வழக்கை நான் நடத்த விரும்பவில்லை. இந்த வழக்கை தள்ளுபடி செய்வதில் எனக்கு எந்த ஆட்சேபனையும் இல்லை. எதிரியை இந்த வழக்கிலிருந்து விடுவிப்பதில் எனக்கு எந்த ஆட்சேபனையும் இல்லை. மேற்கொண்டு ஆவணங்கள் எதுவும் இல்லை. மனுவின்படி தீர்ப்பாக வேண்டும். வழக்கு தள்ளுபடி செய்யப்படவேண்டும்.

14. Under the above said circumstances, no useful purpose will serve in keep pending the case. The Complainant has deposed that she withdraw the Complaint since, Accused apologizes for what he said about Saivism and Vaishnavism and that he will not speak thus in future. The prosecution has miserably failed to prove the case with respect to offences under Sections U/s. 196 (1) (a), 299 and 302 of Bharatiya Nyaya Sanhita against Accused beyond reasonable doubts for the offences stated supra. Therefore, the evidence on the record would not sufficient to hold guilty of the accused beyond all reasonable doubt with respect to offences stated supra.

In the result, in view of reasons stated above, since the Complainant has filed Petition to withdraw the Complaint dated 03.09.2026, the charges against Accused for offence under Sections U/s. 196 (1) (a), 299 and 302 Bharatiya Nyaya Sanhita are not proved by the prosecution beyond all reasonable doubts. Hence, for the above

said reasons, the Accused is not found guilty of the offences stated supra and he is acquitted from above said the charges u/s 271 (i) of BNSS.

There shall be no order as to cost.

Dictated to the Steno Typist and typed by her, corrected and pronounced by me in the open court, this the 23rd day of September 2026.

/Signed/
(C. Sundarapandian)
III Metropolitan Magistrate /III Judicial Magistrate
George Town, Chennai

List of Witnesses:

List of Witnesses on the side of Prosecution :

SL. No.	Witness	Name
1	PW.1	Uma Anadan, W/o.S.Anandan, (Late)

List of Exhibits on the side of Prosecution:-

Judicial Form No. 68 (Rule 49)

Exhibits Index

In the court of III Metropolitan Magistrate/ III Judicial Magistrate

Calendar Case No. 222 of 2026

S.No. of the Exhibit	Description of the Exhibit and its date	Date, when the exhibit was filed in the case	How Marked	By whom filed	Remarks
1	Signature of Complainant in Petition to Withdraw Complaint.		Ex.P.1	**PW.1**	

2	Petition to Withdraw Complaint filed by Complainant		Ex.P.2	**PW.1**	

List of Defense Witness and Exhibits : Nil

/Signed/
(C. Sundarapandian)
III Metropolitan Magistrate /III Judicial Magistrate
George Town, Chennai

Note:

1. No witness detained more than 3 times.
2. Nature of disposal intimated to the Complainant concerned.
3. The accused has furnished sureties U/s.91 of BNSS, during trial

/True Copy/