

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**  
(Criminal Original Jurisdiction)

Crl. O.P. No. 7206 of 2025

in

**Crime No. 320 of 2024**  
(on the file of CCW-Chennai City)

**Rangarajan Narasimhan M/54**

...Petitioner

**Versus**

1. The Inspector of Police  
Cyber Crime Police Station,  
Chennai City, Tamil Nadu

... Respondent

2. Srimadh Paramahansa Appan Ulakariyan Ramanuja Embar Jiyar Swamy  
Chairman and Managing Trustee,  
Sri Embar Jiyar Mutt,  
30, Manavala Mamuni Koil Street,  
Sriperumbudur, Kancheepuram – 602105

... Respondent/Defacto Complainant

**AFFIDAVIT OF RANGARAJAN NARASIMHAN**

I, Rangarajan Narasimhan, Sanathana Dharma, Sri Vaishnavam, aged about 54

now temporarily come down to Chennai, do hereby solemnly affirm and sincerely state as follows:

1. I am a person deeply interested in the preservation of the sanctity of Sanathana Dharma religions and religious institutions and to preserve the glory of the great Indian Heritage, Culture, Monuments, Practice, and related objectives.
2. I am also a person who is deeply interested in protecting and upholding the Law of the land and to strive to ensure that Fundamental Rights guaranteed by the Constitution of India is preserved and protected.
3. I respectfully submit that I have filed a number of public interest litigation petitions espousing the cause where the rights and sentiments of followers of Sanathana Dharma Religion grouped under the umbrella of Hinduism are being trampled upon by governmental action or inaction in contravention to Article 25, 26 and 27 of the Constitution of India.
4. I am a person who strives to leave no stone unturned to bring to the knowledge of the Temple of Justice the information that is required which are crucial to delivering Justice. Several orders of this Hon'ble Court had lauded my efforts in providing timely and just information and correct solution to this Hon'ble Court.
5. I submit that the details contained in the affidavit have been collated out of my own self acts and from the enquiries made with the concerned departments, Bhaktas, and citizens. I am an income tax assessee and my  
  
pay any cost that may be awarded if this Criminal Original Petition is found to be frivolous.
6. I submit that I am very well aware of the facts and circumstances of the case.

## Introduction

7. I submit that I seek to quash FIR No. 320/2024, filed on 15.12.2024 by the Cyber Crime Police, Chennai, under BNS Sections 192, 352, 353(1)(b), 353(2), and IT Act Section 65.
8. I submit that this FIR, sparked by 2<sup>nd</sup> respondent's complaint over my video "சநாதனத்தை காத்த உதயநிதி" (Sanathanathai Katha Udhayanidhi), uploaded on 06.12.2024, 17:47 duration, in my YouTube channel, ("OurTemples – Rangarajan Narasimhan", [www.YouTube.com/@OurTemples](http://www.YouTube.com/@OurTemples)) is **malafide, baseless, absurd, legally untenable, and an abuse of process**. I invoke this Hon'ble Court's inherent powers under BNSS Section 528 to end this vendetta.

## Facts in Brief

9. I submit that I operate a YouTube channel titled "[OurTemples – Rangarajan Narasimhan](http://www.YouTube.com/@OurTemples)," accessible at [www.YouTube.com/@OurTemples](http://www.YouTube.com/@OurTemples). Through this channel, I passionately share my unwavering commitment to Sanathana Dharma and the sacred rights of Sanathana Dharmis aka Hindus, as guaranteed by Articles 25 and 26 of the Constitution. As a temple activist and petitioner, I document my journey, including the numerous Public Interest Litigations (PILs) I've filed to safeguard our temples, challenge political interference, and preserve our rich heritage against false propaganda and misleading narratives spread by politicians
10. I submit that I expose the undue influence of politics on Hindu religious institutions, debunk the propagation of non-existent laws used to confuse and divide our communities, and clarify the truth to unite and empower Sanathana Dharmis. Beyond legal battles, I dive into the heart of our traditions—sharing insights on temple history, ancient rituals, and the spiritual essence of Sanathana Dharma, while highlighting community efforts to restore and protect our sacred spaces.

11. I submit that the purpose of my YouTube channel is to inform and educate the public about the rights of Hindus, the legal avenues available to safeguard the fundamental rights enshrined in the Constitution of India, and to unmask the duplicity, false narratives, and misleading propaganda propagated by vested interests across public and social media platforms
12. I submit that on 06.12.2024, I uploaded a video on my YouTube channel titled "சநாதனத்தை பாதுகாத்த உதயநிதி" uploaded at the URL <https://www.youtube.com/watch?v=X9yB5fqfAgM>, in which I shared my perspective on an incident I learned about during a phone conversation. The incident involved the performance of a Parihara Pooja at the residence of Mr. Udhayanidhi Stalin, facilitated by Mr. Embar Jeeyar, the Matadhipathi of Sri Embar Jeeyar Mutt, Sriperumbudur, hereafter referred to as Embar Jeeyar. Embar Jeeyar, the 2<sup>nd</sup> respondent in this matter, is the de facto complainant.
13. I submit that I found that the stand of Mr. Udhayanidhi Stalin, who had in the year 2023, pronounced that **"Sanathana Dharma, which is like Dengue, Malaria, Covid must be eradicated"**, has changed and he had in fact adhered to the age-old practice of taking the blessings of elders in a manner that is prevalent in Sanathana Dharma, i.e., doing Pada Pooja to elders, especially Sanyasis. This was the sum and substance of my video.
14. I submit in the video I included the audio recording of my conversation with the 2<sup>nd</sup> respondent, who confirmed that a Parihara Pooja took place at Mr. Udhayanidhi Stalin's residence, as recommended by an unnamed astrologer. Mr. Udhayanidhi Stalin and Mrs. Durga Stalin participated in the ritual, and it was attended by Mr. Embar Jeeyar, the 2<sup>nd</sup> respondent herein, along with:

(i) Mr. Sata Gopa Ramanuja Jeeyar, Matadhipathi, hereinafter referred to as **Srivilliputhur Jeeyar** and

(ii) Mr. Emberumanar Jeeyar, Azhwar Thirunagari Emberumanar Jeeyar Mutt, Azhwar Thirunagari, hereinafter referred to as **Azhwar Thirunagari Jeeyar**.

15. I submit that I admit that I had trimmed the audio to include only the relevant portion concerning the aforementioned individuals and the Parihara Pooja, which was part of a broader conversation about certain challenges the 2<sup>nd</sup> respondent is encountering in Sriperumbudur.

#### **THE COMPLAINT**

16. I submit that three distinct individuals – (1) Embar Jeeyar, (2) Azhwar Thirunagari Jeeyar, and (3) Srivilliputhur Jeeyar – have lodged complaints at various police stations across different regions of Tamil Nadu for the same incident.

17. I submit that, for reasons best known only to the 2<sup>nd</sup> respondent herein, a complaint was lodged by the 2<sup>nd</sup> respondent against me with the 1<sup>st</sup> respondent herein.

18. I submit that the following table summarizes the complaints made:

Date & Time	Complainant	Police Station	Crime Number
15.12.2024 12:00AM	Embar Jeeyar, Sriperumbudur	Chennai Crime Branch, Vepery	320/2024
16.12.2204 1:00 PM	Sata Gopa Jeeyar, Srivilliputhur	Srivilliputhur Town PS	610/2024
17.12.2024	Emberumanar Jeeyar, Azhwar Thirunagari	CCB, Tuticorin	80/2024

19. I submit that the following table summarizes the sections on which the FIR was filed in the respective cases:

Date & Time	Crime Number	Police Station	Sections
15.12.2024 12:00AM	320/2024	Chennai Crime Branch, Vepery	192, 352, 353(1)(b), 353(2) BNS, r/w. Sec. 65 of IT Act, 2000
16.12.2204 1:00 PM	610/2024	Srivilliputhur Town PS	192, 352, 353(1)(b), 353(1)(c), 353(2) BNS
17.12.2024	80/2024	CCB, Tuticorin	192, 352, 353(1)(b), 353(1)(c), 353(2) BNS, r/w. Sec. 65 of IT Act, 2000

## FIR OVERVIEW

20. I submit that the following outlines the details of the FIR:

- (i) **Filing Details:** FIR was registered on 15.12.2024 at 12:00 PM, at the Cyber Crime Police Station, Chennai, under Crime No. 320/2024. It was signed by ACP Mr. Paul Stephen P, and assigned to Inspector Mr. A. Peer Basha.
- (ii) **Charges:** Bharatiya Nyaya Sanhita (BNS) 2023 Sections 192, 352, 353(1)(b), 353(2), and Information Technology Act (IT Act) 2000 Section 65.
- (iii) **Complainant:** The Jeeyar, head of Embar Jiyar Mutt, Sriperumbudur, aged 63, claiming I had defamed him via the video I had uploaded on 06.12.2024.
- (iv) **Accused:** Rangarajan Narasimhan, the petitioner herein, along with one Mr. Felix Jerald and one Mr. Kalanjiyam (RedPix associates).
- (v) **Incident:** The video "Sanathanathai Katha Udhayanidhi" (17:47 long), allegedly using a recorded, edited phone call from early December 2024

21. I submit that the petitioner was arrested on the very same day by the CCB, Chennai, i.e., 15.12.2024, at around 2:30 PM at his residence in Srirangam, without following due procedure of law as laid down in **Bhartiya Nagarik Suraksha Sanhita**, hereinafter referred to as BNSS and **Arnesh Kumar v. State of Bihar [(2014) SCC 273]** the Hon'ble Supreme Court and was taken to CCB, Chennai by road. **The entire incident is steeped in malice and appears to be driven by political vendettas.**
22. I submit the sequence of events as follows:
- (i) **On 15.12.2024 at 12:00 PM**, the complainant, Embar Jeeyar, visits CCB, Chennai in their office (as per the FIR) and lodges a complaint on the petitioner.
  - (ii) **On 15.12.2024 at 12:00 PM** the FIR was registered by the 1<sup>st</sup> respondent.
  - (iii) **On 15.12.2024 at 2:30 PM**, the petitioner was arrested at his residence in Srirangam. Given current technology and infrastructure, it is clearly impossible to travel from Chennai to Srirangam within 2½ hours, especially if we assume – unrealistically – that the FIR registration process took no time at all.
  - (iv) **On 16.12.2024 at 7:30 AM** the petitioner was mechanically remanded by the learned Metropolitan Magistrate XI, Saidapet, at the magistrate's residence in Velachery. Only the 1<sup>st</sup> respondent knows why he did not wait an additional three hours to present the petitioner at the court at 10:30 AM.
  - (v) **On 17.12.2204, 18.12.2024, 19.12.2024** a series of FIRs were filed at different police stations on the petitioner and Formal Arrests were

shown in each of the cases. Strangely, one FIR registered in 2021 was given fresh life and the Srirangam Police decided to show formal arrest, but for reasons best known they did not produce the petitioner before the Ld. Judicial Magistrate, Srirangam, till date.

- (vi) **On 19.12.2024 at around 12:30 AM** the petitioner was taken to Metropolitan Magistrate XI, Saidapet by the 1<sup>st</sup> respondent, seeking Police Custody.
- (vii) **On 19.12.2024** the learned Metropolitan Magistrate XI, Saidapet dismissed the petition **Crl. M. P. 26078 of 2024**, praying for police custody.
- (viii) **On 20.12.2024** the learned Metropolitan Magistrate XI, Saidapet also **dismissed the bail petition in Crl. M. P. No. 225871 of 2024.**
- (ix) **On 27.12.2024** the Hon'ble Madras High Court is pleased to grant bail to the petitioner herein vide its order in **Crl. O.P. No.32423 of 2024.**
- (x) **On 28.02.2025** the learned Metropolitan Magistrate XI, Saidapet dismissed the petition for property return.

## **THE CHARGES**

23. I submit that the FIR was registered with crimes under the following BNS sections

- (i) S. 192 - Provocation with Intent to Cause Riot
- (ii) S. 352 - Intentional Insult to Provoke Breach of Peace
- (iii) S. 353(1)(b) - Statements via Electronic Means Creating Public Mischief
- (iv) S. 353(2) BNS - Spreading Statements to Incite Offenses Against Tranquility



- (v) Sec. 65 of IT Act, 2000 - Tampering with Computer Source Documents

## CHARGES ANALYZED

24. I submit that following paragraphs provide a detailed analysis of the FIR in relation to each of the charges leveled

(i) **BNS 192 - Provocation with Intent to Cause Riot**

➤ **Definition:**

192. Whoever malignantly, or wantonly by doing anything which is illegal, gives provocation to any person intending or knowing it to be likely that such provocation will cause the offence of rioting to be committed, shall, if the offence of rioting be committed in consequence of such provocation, be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both; and if the offence of rioting be not committed, with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

➤ **Information of Commission of Cognizable Offence:** None. The FIR provides no evidence of any statements or actions by the petitioner that would provoke anyone with the intent to cause a riot. The complaint lacks any factual details and fails to quote even a single line from the video that could lead to riots, as claimed by the 2<sup>nd</sup> respondent. Instead, it falsely accuses the petitioner of spreading false information. In reality, it was the 2<sup>nd</sup> respondent who, during a phone conversation with me, confirmed his visit to Mr. Udhayanidhi Stalin's house, and the video accurately reflects this truth.

- The contents of the video is the truth. It merely replayed the conversation of the petitioner with the 2<sup>nd</sup> respondent.
- The FIR does not cite any specific portion of the video's content but instead asserts that the video is false. Rather than referencing the actual video, it misrepresents statements made by the 2<sup>nd</sup> respondent himself, labeling them as "false information" and constructing a narrative that this misinformation has led to a law-and-order issue, employing vague terms such as...

- ✓ மத உணர்வை புண்படுத்தி,
- ✓ மத நல்லிணக்கத்தை சீர்குலைத்து,
- ✓ கலவரத்தை தூண்டி,
- ✓ சட்ட ஒழுங்கு பிரச்சனை ஏற்படுத்தி,
- ✓ மத ரீதியான பதற்றத்தை உருவாக்கியுள்ளது

without quoting verbatim any parts of the video content to substantiate the accusation on the petitioner.

➤ **Analysis:** Malafide and Weak.

- **No riots happened** – 2<sup>nd</sup> respondent's claim of a "law and order" threat is baseless and deceptive. The statements in the video are verbatim from the 2<sup>nd</sup> respondent—**truthful and not provocative**. The petitioner's commentary does not constitute a call to mobilize a mob. There is no evidence of any intent or actual impact—only the 2<sup>nd</sup> respondent's far-fetched speculation

- **Hurting religious sentiments** – The 2<sup>nd</sup> respondent is a Sri Vaishnavite Sanyasi, and the petitioner is also a Sri Vaishnavite. The video contains neither statements, images, nor any other material related to the Sri Vaishnava Sampradhaya or its practices. There is no pitting of two religions or castes against each other anywhere in the video. Furthermore, there are no words, pictures, or videos in the content that could offend the religious sentiments of any religion, not just Sri Vaishnava Sampradhaya

**(ii) BNS 352 - Intentional Insult to Provoke Breach of Peace**

➤ **Definition:**

352. Whoever intentionally insults in any manner, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both

- **Information of Commission of Cognizable Offence:** None. No information in FIR discloses any instance of any statement made by the petitioner/accused which by any which way demeans or undermines the capabilities or position of the 2<sup>nd</sup> respondent. The complaint as such does not disclose any facts. Rather it falsely implicates the petitioner/accused for having spread false information.

- The FIR does not quote any portion of the contents of the video to prove that the petitioner/accused had insulted the 2<sup>nd</sup> respondent. It merely uses words like

- ✓ எனது மடத்தின் தலைவர் என்ற நிலையை கேள்விக்குள்ளாக்கி,
- ✓ மடத்தின் மதிப்புகள் மற்றும் சம்பிரதாயங்களை நான் பின்பற்றவில்லை என குற்றம் சாட்டியுள்ளார்
- ✓ என்னை தவறாக சித்தரித்துள்ளார்
- ✓ நான் மடத்தின் தலைவர் என்ற நிலையையும், மடத்தின் தலைவர் என்ற எனது திறனையும் கேள்விக்குட்படுத்தியுள்ளார்
- ✓ அதிர்ச்சியும் அவமானமும் அடைந்தேன்
- ✓ எனது மத நம்பிக்கைகளையும், மடத்தின் மதிப்பையும் பாதிக்கும் வகையில் அமைந்துள்ளன

without quoting verbatim any parts of the video content to substantiate his accusations.

➤ **Analysis:** Malafide and shaky.

- **No Insult:** The 2<sup>nd</sup> respondent merely states that the petitioner/accused has insulted him, without quoting any word(s) used by the petitioner in the video to substantiate his accusation or has not explained how he thinks he was insulted. No part of the video content is derogatory to anyone, leave alone the 2<sup>nd</sup> respondent as is evident from the transcript of the video which is part of the typed set of papers.
- **No Provocation:** The 2<sup>nd</sup> respondent has not provided any word or words used by the petitioner/accused to prove that there was any provocation made to anyone. Further, no part of the video content provokes anyone as can be seen from the transcript of the video which is part of the typed set of papers.

(iii) **BNS 353(1)(b) - Statements via Electronic Means Creating Public Mischief**

➤ **Definition:**

353. (1) Whoever makes, publishes or circulates any statement, false information, rumour, or report, including through electronic means—

(b) with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquility.

➤ **Information of Commission of Cognizable Offence:** None. The FIR contains no information indicating any statements made by the petitioner/accused that would cause fear, alarm, or prompt anyone to commit an offense against another person. The complaint itself fails to present any factual basis; instead, it misleadingly employs key terms from the BNS solely to incriminate the petitioner/accused

- The FIR does not cite any specific content from the video to demonstrate that the petitioner/accused either incited fear or alarm among the public or persuaded anyone to commit a crime against the State or any individual. It simply employs vague terms such as

✓ “உண்மைகலை திரித்து கூறி,

✓ பொதுமக்கள் மற்றும் கட்சியினரிடையே கலவரத்தை தூண்டி சட்ட ஒழுங்கு பிரச்சனை ஏற்படும்,

✓ தகவல் மத ரீதியான பதற்றத்தை உருவாக்கியுள்ளது

without quoting verbatim any parts of the video content to substantiate the accusations.

➤ **Analysis:** Malafide and Flimsy.

- **Fear or alarm to the public:** Neither the FIR nor the video (as referenced in the transcript included in the typed set of papers) contain any statements that could cause harm to the public in any way.
- **Induce to commit an offence against State or against the public tranquility:** Neither the FIR nor the video (as referenced in the transcript included in the typed set of papers) contains any statements that could potentially incite anyone to commit an offense against the State, public order, or any individual

(iv) **BNS 353(2) - Spreading Statements to Incite Offenses Against Tranquility**

➤ **Definition:**

353 (2) Whoever makes, publishes or circulates any statement or report containing false information, rumour or alarming news, including through electronic means, with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or 40 castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

- **Information of Commission of Cognizable Offence:** None. The FIR provides no information indicating any statements by the petitioner/accused that would cause fear, alarm, or provoke anyone to commit an offense against another person. The complaint itself lacks any factual basis and instead deceptively

relies on key terms from the BNS to falsely implicate the petitioner/accused.

- The FIR does not cite any specific content from the video to demonstrate that the petitioner/accused either disseminated false information or incited conflict between any communities. It simply employs vague terms such as...

✓ “உண்மைகளை திரித்து கூறி,

✓ பொதுமக்கள் மற்றும் கட்சியினரிடையே கலவரத்தை தூண்டி சட்ட ஒழுங்கு பிரச்சனை ஏற்படும்,

✓ தகவல் மத ரீதியான பதற்றத்தை உருவாக்கியுள்ளது

without quoting verbatim any parts of the video content.

➤ **Analysis:** Imaginary.

- **False Information:** The video features a discussion between the petitioner and the 2<sup>nd</sup> respondent, with the petitioner’s commentary also based on the same conversation. The information shared in the video was directly provided by the 2<sup>nd</sup> respondent and reproduced as is, leaving no possibility of false information being presented
- **Pitting one community against another:** The video contains no content that suggests any attempt to create division or hostility between communities. Any claim to the contrary is a fabrication by the 2<sup>nd</sup> respondent to falsely implicate the petitioner/accused. The full transcript of the video, included in the typed set of papers,

confirms that there is no mention of any community being set against another

**(v) IT Act 65 - Tampering with Computer Source Code**

➤ **Definition:**

IT Act 65 - Tampering with computer source documents.—Whoever knowingly or intentionally conceals, destroys or alters or intentionally or knowingly causes another to conceal, destroy, or alter any computer source code used for a computer, computer programme, computer system or computer network, when the computer source code is required to be kept or maintained by law for the time being in force, shall be punishable with imprisonment up to three years, or with fine which may extend up to two lakh rupees, or with both.

Explanation. – For the purposes of this section, — computer source code means the listing of programs, computer commands, design and layout and program analysis of computer resource in any form.

➤ **Information of Commission of Cognizable Offence:** None. The entire complaint revolves solely around a video and has **no connection whatsoever to any computer source code**, even in the most imaginative scenario.

➤ **Analysis:** Off-base.

- IT Act Definition (Section 2(1)(j)): “Computer source code” means “the listing of programmes, computer commands, design and layout and programme analysis of computer resource in any form.”
- The term “computer source code” does not appear even once in the complaint. This section has been included



merely because the alleged offense is said to have occurred on the internet.

- Section 65 targets “Computer Source Code” – Software instructions, not a phone call audio file, or a video on the internet. They aren’t “programmes, commands, or designs” as per Section 2(1)(j) of the IT Act.

## **POLITICAL HAPPENINGS RELATING TO THE CASE**

25. I submit that the petitioner herein has filed numerous cases against the Hindu Religious and Charitable Endowments Department, hereinafter referred to as HR&CE Dept, which are related to maladministration and malfeasance of the department in several temples which are under the supervisory control of the Commissioner, HR&CE Dept.
26. I submit that the petitioner has also lodged multiple complaints, reporting instances of cognizable offenses occurring in temples managed under the supervisory authority of the HR&CE Department
27. I submit that the subject of the video in question, titled “சநாதனத்தை பாதுகாத்த உதயநிதி,” centers on exposing the contradictory behavior of Mr. Udhayanidhi Stalin, son of the Honorable Chief Minister of Tamil Nadu, Mr. M. K. Stalin.
28. I submit that it is very well known to the world that Mr. Udhayanidhi Stalin a prominent leader of the political party Dravida Munnetra Kazhagam, hereinafter referred to as DMK, sparked significant controversy in September 2023 with his remarks on Sanatana Dharma. Speaking at the '**Sanatana Abolition Conference**' in Chennai, organized by the Tamil Nadu Progressive Writers Artists Association, **he compared Sanatana Dharma to diseases like dengue, malaria, and coronavirus, stating that it should not merely be opposed but "eradicated Sanathana Dharma"**. He framed his

comments as echoing the views of Dravidian leaders like EV Ramaswamy, CN Annadurai, and M. Karunanidhi, emphasizing his stance against Sanatana Dharma. The controversy led to multiple legal cases being filed against him across India, reflecting the polarized reactions to his statements.

29. I submit that multiple First Information Reports (FIRs) were registered against him in states like Uttar Pradesh, Karnataka, Bihar, Maharashtra, and Jammu and Kashmir. These FIRs typically cited sections of the Indian Penal Code (IPC) such as Section 153 (provocation with intent to cause riot), Section 298 (wounding religious feelings), and Section 500 (defamation). In Bengaluru, a private complaint by social activist Paramesh V led to a Special Court issuing summons on February 2, 2024, under IPC Sections 153, 298, and 500, designating Mr. Udhayanidhi as the primary accused
30. I submit that on 22.09.2023, the Supreme Court issued notices to the Tamil Nadu government and Mr. Udhayanidhi in response to a plea by B. Jagannath seeking an FIR and a CBI probe into the conference's funding and intent.
31. I submit that Mr. Udhayanidhi approached the Supreme Court to club the multiple FIRs filed against him across different states, arguing that facing scattered litigation violated his right to a fair trial and amounted to "persecution before prosecution." On 04.03.2024, the Court, led by Justices Sanjiv Khanna and Dipankar Datta, criticized him for abusing his free speech rights under Article 19(1)(a) and questioned his awareness of the consequences, given his position as a minister. The Court distinguished his case from media-related precedents, noting his remarks were voluntary
32. I submit that on 01.04.2024, the Supreme Court further clarified that Mr. Udhayanidhi could not claim the same immunity as journalists, who

operate under editorial constraints, and allowed him to amend his plea, listing it for 06.04.2024

33. I submit that on 25.06.2024, a Bengaluru court granted Mr. Udhayanidhi bail in the case stemming from Paramesh V's complaint. The offence was deemed bailable, and bail was secured with a ₹1 lakh surety.
34. I submit that Mr. Udhayanidhi has consistently refused to apologize, asserting that his remarks were misinterpreted. He clarified that he did not call for genocide but aimed to critique practices he views as regressive, such as restrictions on women's education and remarriage. On 22.10.2024, he reiterated, "**I'm the grandson of Kalaignar [M. Karunanidhi], and I will not apologize,**" emphasizing his commitment to facing all legal challenges. He has framed his position as a continuation of the DMK's Dravidian ideology.
35. I submit that the video published by the petitioner herein in his YouTube channel on 06.12.2024, ties into the Mr. Udhayanidhi Stalin-Sanatan Dharma controversy through claims he made in December 2024, over a year after Mr. Udhayanidhi's initial remarks in September 2023. The video indicates that Mr. Udhayanidhi, notwithstanding his earlier statements opposing Sanatana Dharma, participated in rituals reportedly intended to address a 'Brahmana Dosham,' allegedly linked to future electoral success in 2026
36. I submit that the video, which is at the heart of the FIR (Cr. No. 320/2024) and subsequent complaints filed against me, addresses an incident involving a Parihara Pooja at Mr. Udhayanidhi Stalin's residence, as confirmed by the 2<sup>nd</sup> respondent, Mr. Embar Jeeyar, during a phone conversation. However, the FIR falsely alleges that this content caused fear, alarm, or law-and-order issues, leading to my unlawful arrest and multiple procedural violations, including the failure to issue a notice under Section

35(3) of the BNSS, 2023, and the fabricated claims of spreading false information or hurting religious sentiments. This video, intended to highlight Mr. Udhayanidhi Stalin's dual public and private personas, has been misused to target me with malicious intent and political vendetta, as evidenced by the coordinated complaints and irregularities in the legal process.

37. I submit that in the video, the petitioner claimed Mr. Udhayanidhi invited three Brahmin priests – Srivilliputhur Jeeyar, Alwar Thirunagari Jeeyar, and the 2<sup>nd</sup> respondent herein – to his home, conducted a “pada puja”, and sought their blessings, framing it as against Mr. Udhayanidhi's earlier call to “eradicate” Sanatana Dharma, which he likened to diseases like dengue and malaria, by **quoting the telephone conversation with the 2<sup>nd</sup> respondent herein**, wherein the 2<sup>nd</sup> respondent admitted to have visited Mr. Udhayanidhi's house along with the other 2 Jeeyars.
38. I submit that in the video, the petitioner, welcomed the change of heart of Mr. Udhayanidhi towards Sanathana Dharma and having shown remorse to his earlier comments which he vehemently stated that he will “never apologize”.
39. I submit that it appears possible, based on the circumstances, that Mr. Udhayanidhi Stalin, the 2<sup>nd</sup> respondent, the Minister for HR&CE Mr. Sekar Babu, and others potentially affected by the video's content may have been involved in circumstances leading to the filing of this FIR and my subsequent arrest, which I contend was unlawful
40. I submit that the 2<sup>nd</sup> respondent for the reasons best known to him preferred to file a complaint with the 1<sup>st</sup> respondent on 15.12.2024, about 9 days after the video was uploaded by the petitioner herein.

## **ATTEMPT OF PETITIONER TO HELP 2<sup>nd</sup> RESPONDENT**

41. I submit that on 26.11.2024, the petitioner/accused was in receipt of a letter signed by the 2<sup>nd</sup> respondent stating that the 2<sup>nd</sup> respondent was handing over the fixed deposit receipt of Rs. 29,13,000, as on 25.09.2024, to one Sri K. K. A. Parthasarathy Swamy, resident of Sannidhi Street, Appan Swamy Thirumaligai, Sriperumbudur – 602 105, hereinafter referred to as Sriperumbudur Appan Swamy.
42. I submit that this was received by the petitioner from a well-wisher of the 2<sup>nd</sup> respondent, who had informed the petitioner that the 2<sup>nd</sup> respondent submitted the fixed deposit receipt, the bank passbook, check book etc., to Sriperumbudur Appan Swamy due to duress.
43. I submit that on the same day the 2<sup>nd</sup> respondent had put up a notice board in front of the Mutt, stating that the Thathiyaradhana (Annadhana), conducted on every Thiruvathira Nakshatra day will be stopped due to paucity of funds and the Periya Thiruvadhirai Nakshatra Thathiyaradhana will be done provided sufficient funds are available and requested the Mutts Sishyas to cooperate
44. I submit that the well-wisher, contacted the petitioner, who is an active practitioner, preacher and supporter of Sanathana Dharma, and who believes in the legal process of the nation, to help the 2<sup>nd</sup> respondent in any possible manner.
45. I submit that in this well-wisher had stated that the 2<sup>nd</sup> respondent is under severe duress and requested profusely to the petitioner to help the 2<sup>nd</sup> respondent.
46. I submit that on the same day, the petitioner contacted the 2<sup>nd</sup> respondent to enquire about the issue. The discussion was detailed, running to about

an hour, during which the discussion about Mr. Udhayanidhi Stalin and Pada Pooja which was part of the YouTube video happened.

47. I submit that after discussions the next day, the petitioner stated to the 2<sup>nd</sup> respondent that as it is imperative that he does his duty as a Sri Vaishnava and a Grihastha and a Sishya to do the right thing by the Mutt and its pride in order to ensure that bad name do not fall up on either the Mutt or the Matadhipathi (2<sup>nd</sup> respondent) or the Sri Vaishnava Sampradhaya, a meeting with all concerned in the matter viz., the 2<sup>nd</sup> respondent and the trustees of the Mutt to which the 2<sup>nd</sup> respondent is the founder trustee along with me is set up to iron out any misunderstanding and miscommunication.
48. I submit that on 06.12.2024, as promised, the petitioner took steps to bring in all stakeholders, erased out any miscommunication and misunderstanding between the 2<sup>nd</sup> respondent and other trustees of the Mutt, which resulted in the return of the fixed deposit receipt, passbook and check book back to the 2<sup>nd</sup> respondent and the same was recorded in the very same letter.
49. I submit that subsequent to this, the video with information pertaining to only the visit of the 2<sup>nd</sup> respondent and other Jeeyars to the house of Mr. Udhayanidhi Stalin, performance of Pada Pooja, Thathiyaradhana and the Brahmana Dosha was published by the petitioner/accused herein on 06.12.2024.
50. I submit that after this incident, the petitioner had gone to Supreme Court of India to attend a case pertaining to idol theft at Sri Kapaleshwarar Temple, Mylapore.
51. I submit that on his return from Supreme Court to Srirangam where he resides, a few more Sishyas of the 2<sup>nd</sup> respondent had come to the house of

the petitioner, again asking the petitioner to help the 2<sup>nd</sup> respondent in a manner known to law, after they explained several incidents where he was pressurized by people belonging to Sri Vaishnava Sampradhaya.

52. I submit that the petitioner informed them that things were already taken care and sorted out, the petitioner took pains to educate the Sishyas of their responsibility as per Sri Vaishnava Sampradhaya to be of support to the Mutt and the Matadhipathi. The petitioner stated that the Mutt is in need of funds and requested the Sishyas who are NRIs to see if they can support the Mutt financially to a tune of Rs. 1,00,000/- per month by pooling among 3-4 Sishyas as a first step to restructure the Mutt financially and they readily accepted as well.
53. I submit that the same was also conveyed by the petitioner to the 2<sup>nd</sup> respondent through WhatsApp message on 14.12.2024.
54. I submit that till date, the Sishyas have kept their end of their promise to support the Mutt and 2<sup>nd</sup> respondent financially by sending Rs. 1,00,000/- every month.

#### **MALAFIDE**

55. I submit that information from various sources suggests that the 2<sup>nd</sup> respondent may have faced pressure from unidentified individuals at his Mutt to lodge a complaint against me.
56. I submit that the petitioner made attempts to contact the 2<sup>nd</sup> respondent who did not answer the phones for reasons best known to him.
57. I submit on 15.12.2024, the 2<sup>nd</sup> respondent filed the complaint resulting in the impugned FIR being registered by the 1<sup>st</sup> respondent.
58. I submit that the following timeline clearly shows a smoking gun:

- (i) On 15.12.2024 at 12:00 PM, the 2<sup>nd</sup> respondent visited Chennai to lodge a complaint against the petitioner
- (ii) On the same day, December 15, 2024, at 12:00 PM, the 1<sup>st</sup> respondent promptly registered an FIR in CCB Cr. No. 320/202
  - It is practically unthinkable for any investigative agency to register a complaint at the exact moment it is submitted, considering the well-known technological limitations and standard police procedures recognized globally. Nevertheless, the FIR was recorded at precisely 12:00 PM
- (iii) On December 15, 2024, at 2:30 PM, Mr. Rajan, an Inspector, accompanied by the Inspector of Police from Srirangam Police Station and several plainclothes personnel, scaled the petitioner's gates, took him into custody without disclosing the reason, and detained him
  - Only the Inspector of Police from Srirangam was in uniform; the others were not. At the time of the arrest, the petitioner was alone at home
  - When the police informed the petitioner that he was required to accompany them to the station for an inquiry, he asked for the purpose, but those present refused to provide any explanation
  - After persistent questioning, the Inspector of Police from Srirangam revealed that the arrest stemmed from a complaint lodged by the 2<sup>nd</sup> respondent.
- (iv) **It is virtually impossible for anyone to travel from Chennai to Srirangam in just 2½ hours.** Yet, the 1<sup>st</sup> respondent managed to dispatch Mr. Rajan to Srirangam by road within this timeframe.



- (v) The FIR indicates that the petitioner faces charges u/s 192, 352, 353(1)(b), and 353(2) of the BNS, read with Section 65 of the IT Act, 2000
- These offenses carry punishments of less than 7 years
  - Consequently, the ruling in *Arnesh Kumar v. State of Bihar [2014] SCC 273* applies, mandating that the investigating authority issue a notice to the accused under Section 35 of BNSS, previously Section 41A of the CrPC
  - The petitioner, at his residence, informed Mr. Rajan, representing the 1<sup>st</sup> respondent, of this requirement, requesting a summons and assuring full cooperation with the investigation, but his pleas were ignored.
  - These events were captured on the CCTV footage at the petitioner's residence
  - Despite this, Mr. Rajan, acting under the 1<sup>st</sup> respondent's orders, arrested the petitioner unlawfully and transported him to Chennai
  - The petitioner's family was not informed until the following morning - a clear breach of BNSS protocols
- (vi) On 15.12.2024, at approximately 11:30 PM, the petitioner was brought to the 1<sup>st</sup> respondent's office in Vepery
- (vii) On 16.12.2024, around 1:00 AM, a team of police officers, led by the Deputy Superintendent of Police (as informed to the petitioner) and the 1<sup>st</sup> respondent, interrogated him

- The recorded phone conversation was shared with the police via WhatsApp at the behest and direction of the 1<sup>st</sup> respondent
- (viii) On 16.12.2025 at around 5.30 AM, the petitioner was taken to the Govt. Hospital for medical checkup where no checkup was done except for taking the blood pressure and weight of the petitioner/accused
- (ix) On 16.12.2025 at approximately 7:00 AM, the petitioner was brought to the residence of the learned Metropolitan Magistrate XI, Saidapet, located in Velachery
- It is unclear why the petitioner was brought to the magistrate's residence at 7:30 AM rather than being presented at the Saidapet Court during its regular hours starting at 10:30 AM
  - Waiting an additional three hours would have caused no significant disruption if waited for 3 more hours.
- (x) On 16.12.2025, the learned Metropolitan Magistrate XI, Saidapet, summarily remanded the petitioner to judicial custody for 15 days without allowing him an opportunity to present his side of the case.
- The petitioner pointed out that none of the mandated procedures were followed and no summons had been issued, but the magistrate, who was in no mood to listen, dismissed his submissions without consideration.
- (xi) On 16.12.2025, petitioner was incarcerated at Puzhal Prison

59. I submit that as evident from the FIRs, the majority appear to be concocted and fail to correspond with the legal sections cited within them.

60. I submit that in all of the FIRs, the respective investigating officers failed to issue the notice required under Section 35(3) of the BNSS (previously Section 41A of the CrPC), even though none of the cited sections entail punishment exceeding 7 years
61. I submit that following this, eight additional FIRs were filed against the petitioner, with the police formally recording arrests in each instance. In all these arrests, Section 35 of the BNSS was completely disregarded, and the police authorities blatantly violated the directives of the Hon'ble Supreme Court of India. The table below provides a summary of the various cases filed against the petitioner/accused across different police stations in Tamil Nadu within a span of one week.

S. No.	FIR Date	Crime No.	Alleged Offence	Remarks
1	15.12.2024	Cr. No. 320/2024, Delta 4 CCD4, Cyber Crime PS, CCB, Chennai	Sec. 192, 352, 353(1)(b), 353(2) BNS, r/w. Sec. 65 of IT ACT, 2000	<p>Notice u/s 35(3) BNSS, was not served to the petitioner.</p> <p>Arrest intimation was not provided.</p> <p>Family/Counsel was not intimated.</p> <p>Remanded to judicial custody on 16.12.2024</p>

2	17.12.2021	Cr. No. 1145/2021, Srirangam PS	Sec. 294(b), 341, 153, 290, 298, 506(1) IPC	<p>Since 17.12.2021, the Srirangam Police Station has not once notified the petitioner about the FIR.</p> <p>Formal arrest was shown on 18.12.2024.</p> <p>Arrest intimation was not provided.</p> <p>Family/Counsel was not intimated.</p> <p>The petitioner was never produced before the Ld. JM, Srirangam for reasons best known the Investigating Officer.</p> <p>The mandatory notice u/s 41A CrPC was not served</p>
3	20.12.2024	Cr. No. 538/2024 by the D4, Triplicane PS	<p>Sec. 75 and 79 BNS, 2023</p> <p>Sec. 4 of the prohibition of Harassment of Women Act, 2002</p> <p>Sec. 67 of IT Act, 2000</p>	<p>Notice u/s 35(3) BNSS, was not served.</p> <p>Arrest intimation was not provided.</p> <p>Family/Counsel was not intimated.</p> <p>Formal arrest shown on 20.12.2024.</p> <p>The counsel for the accused was prevented by the police from reaching the court which is widely covered in the news media.</p> <p>Legal aid denied.</p> <p>Accused sent to judicial custody for 15 days on 20.12.2024</p> <p>Copy of the remand order is being refused by Ld. JM.</p>

4	16.12.2024	Cr. No. 610/2024, Srivilliputhur Town PS	Sec. 192, 352, 353(1)(b), 353(1)(c), 353(2) BNS	<p>Formal Arrest shown on 20.12.2024.</p> <p>Arrest intimation was not provided.</p> <p>Family/Counsel was not intimated.</p> <p>Remand Rejected on 26.12.2024 by Ld. JM, Sivakasi.</p>
5	21.12.2024	Cr.No. 1262/2024 Srirangam PS	<p>Sec. 192, 299, 302, 352, 353(2) BNS</p> <p>Sec. 65 IT Act, 2000</p>	<p>The mandatory notice required u/s 35(3) BNSS, was not served.</p> <p>Formal arrest was recorded on 21.12.2024.</p> <p>Family/Counsel was not intimated.</p> <p>Arrest intimation was not provided.</p> <p>Remanded to judicial custody for 15 days on 21.12.2024</p>
6	24.12.2024	Cr. No. 80/2024 by Cyber Crime Police, Tuticorin	<p>Sec. 192, 352, 353(1)(b), 353(1)(c), 353(2) BNS, r/w. Sec. 65 of IT Act, 2000</p>	<p>The mandatory notice required u/s 35(3) BNSS, was not served.</p> <p>Formal arrest was shown on 23.12.2024.</p> <p>Family/Counsel was not intimated.</p> <p>Arrest intimation was not provided.</p> <p>Remand rejected on 24.12.2024</p>

7	17.12.2024	Cr. No. 193/2024 by Thiruchendur Temple PS	Sec. 192, 352, 353(1)(b), 352(2), BNS, 2024	<p>Notice required u/s 35(3) BNSS, was not served.</p> <p>Formal arrest shown on 25.12.2024.</p> <p>Family/Counsel was not intimated.</p> <p>Remand Rejected on 30.12.2024.</p>
8	17.12.2024	Cr. No. 194/2024 by Thiruchendur Temple PS, Thiruchendur	Sec. 192, 352, 353(1)(b), 352(2), BNS, 2024	<p>Notice required u/s 35(3) BNSS, was not served.</p> <p>Formal arrest shown on 25.12.2024.</p> <p>Family/Counsel was not intimated.</p> <p>Remand Rejected on 30.12.2024.</p>
9	18.12.2024	Cr. No. 1267/2024 by Srirangam PS	<p>Sec. 192, 299, 302, 352, 353(2) BNS</p> <p>Sec. 65 IT Act 2000</p>	<p>The mandatory notice required u/s 35(3) BNSS, was not served.</p> <p>Anticipatory Bail obtained.</p>

62. I submit that the petitioner was discharged from prison on 01.01.2025

63. I submit that on 16.12.2024 the 1<sup>st</sup> respondent seized the following gadgets, once again by forcibly breaking the fence

- (i) Samsung Galaxy S22 Ultra Mobile Phone – 1 No.
- (ii) Seagate Hard Disk – 10 TB external hard drive – 1 No.
- (iii) Tapo CCTV Camera – 2 Nos.
- (iv) MI CCTV Camera – 2 Nos.
- (v) Apple MacBook Pro – 1 No.
- (vi) Apple iPad – 1 No
- (vii) Canon EOS 200 D Mark II photographic Camera – 1 No
- (viii) Roshan Handbag – 1 No.

64. I submit that upon entering the petitioner's residence, the first action taken by the intruders was to disable the CCTV cameras, **mirroring the tactics of an experienced burglar**

(i) None of the individuals who entered the petitioner's home were wearing uniforms

(ii) The petitioner's residence was sealed by the intruders without any prior notification to either the petitioner's family or their legal counsel.

65. I submit that it is apparent that, for a video uploaded on YouTube, it is unclear why anyone in their right mind would seize CCTV cameras and photographic cameras.

66. I submit that every single FIR filed was filed with a significant delay. The following table summarizes the same

FIR No.	FIR Date	Date of occurrence of crime	No. of days Delay	Arrest/Formal Arrest Date	Presented before JM
Cr. 320/2024	No. 15.12.2024	06.12.2024	9	15.12.2024	16.12.2024
Cr. 1145/2021	No. 17.12.2021	10.12.2021	7	18.12.2024	-
Cr. 538/2024	No. 19.12.2024	13.12.2024	6	20.12.2024	20.12.2024
Cr. 610/2024	No. 16.12.2024	06.12.2024	10	20.12.2024	26.12.2024
Cr. 1262/2024	No. 17.12.2024	19.11.2024	28	21.12.2024	21.12.2024
Cr. No. 80/2024	17.12.2024	06.12.2024	11	23.12.2024	24.12.2024
Cr. 193/2024	No. 17.12.2024	19.11.2024	28	25.12.2024	30.12.2024
Cr. 194/2024	No. 17.12.2024	19.11.2024	28	25.12.2024	30.12.2024
Cr. 1267/2024	No. 18.12.2024	19.11.2024	29	-	-

67. I submit that as can be seen, after the first FIR, impugned, was filed on 16.12.2024, 8 fresh FIRs were filed between 16.12.2024 and 19.12.2024

Date	No. of FIRs filed
15.12.2024	1
16.12.2024	1
17.12.2024	4
18.12.2024	1
19.12.2024	1
<b>Total</b>	<b>8</b>

68. I submit that in addition to this, a complaint filed on 17.12.2021 regarding an alleged crime that occurred on 10.12.2021, was given renewed attention, and a formal arrest was shown by the Investigating Officer at Srirangam Police Station on 18.12.2024.
69. I submit that it is also noteworthy that the FIRs were filed on the same day the complainant submitted the complaint.
70. I submit that the petitioner was not given an opportunity to contact his legal counsel by the 1<sup>st</sup> respondent
71. I submit that in fact, the 1<sup>st</sup> respondent stated that the counsel can see me at his office at 9:00 AM on 16.12.2024 but moved me to the residence of the Ld. Metropolitan Magistrate XI, Saidapet by around 7:00 AM itself, thereby totally denying any legal assistance.
72. I submit that the Ld. Metropolitan Magistrate XI, Saidapet, is required to follow certain legal procedures as enacted in Chapter V: Arrest of Persons and Chapter VI: Process to Complete Appearance of the BNSS, apart from adhere to the orders of the Hon'ble Supreme Court of India in **Arnesh Kumar v. State of Bihar [(2014) SCC 273]**
73. I submit that despite the petitioner/accused asserting that no notice as mandated under Section 35(3) of the BNSS was served, the magistrate failed



to afford the petitioner any opportunity to offer an explanation. Instead, the magistrate mechanically ordered the petitioner's remand to judicial custody

- (i) As previously mentioned, none of the sections under which the petitioner has been charged entails a punishment exceeding seven years
- (ii) The ruling in *Arnesh Kumar v. State of Bihar* [(2014) SCC 273] mandates that, u/s 187 of the BNSS, the **magistrate is obligated to carefully examine the FIR and the grounds for arrest when the accused is brought before them.** The magistrate must not reflexively approve detention without due consideration
- (iii) *Kumar v. State of Bihar* [(2014) SCC 273], requires that the magistrate must scrutinize the FIR and reasons for arrest when the accused is produced before them (u/s 187 BNS). They should not mechanically authorize detention but verify compliance with arrest procedures. If arrest guidelines are not followed, the accused should be released.
  - Yet, the magistrate failed to take any of the guidelines but mechanically remanded the petitioner/accused to judicial custody for 15 days

74. I submit that, as mentioned earlier, numerous cases were filed against the petitioner with the hidden motive of prolonging their imprisonment. A significant number of police personnel and government employees were mobilized to ensure that each case leads to extended remand.

75. I submit that the police department made every effort to prevent the petitioner from accessing legal aid.

76. I submit that it appears that several cases were filed against me without sufficient basis and that my remand was ordered in a mechanical/routine manner, for reasons that may be better clarified by the respective Learned Magistrates
77. I submit that this clearly proves a malafide in the filing of several cases and harassing the petitioner.
78. I submit that despite the complaint from the 2<sup>nd</sup> respondent not disclosing any information of commission of cognizable offence and merely incorporating keywords drawn from various sections of the BNSS, the 1<sup>st</sup> respondent unlawfully arrested and obtained the remand of the petitioner/accused.
79. I submit that the names of one Mr. Felix Gerald and another Mr. Kalanjiyam, allegedly running a YouTube channel by name "RedPix" is purposefully added to the complaint to implicate the petitioner.
80. I submit that the case of Mr. Felix Gerald, a Tamil YouTube journalist and proprietor of the "Red Pix" channel. In May 2024, Mr. Felix Gerald was arrested by the Tamil Nadu Police after being named as an accused in an FIR for an interview with YouTuber Savukku Shankar, where Shankar made allegedly objectionable remarks about police officials.
81. I strongly assert that I have no relationship or connection with Mr. Felix Gerald or with Mr. Kalanjiyam, despite the 2<sup>nd</sup> respondent, Mr. Embar Jeeyar, falsely claiming in his complaint that Gerald is my accomplice. I further note that Mr. Felix Gerald used my video on his YouTube channel, adding his own commentary when discussing it with Mr. Kalanjiyam, but what he does on his channel has nothing to do with me and do not reflect my views in any stretch of imagination.

82. I submit that based on my familiarity with the 2<sup>nd</sup> respondent, I am absolutely certain that he has no knowledge of Mr. Felix Gerald, and I am even more confident—beyond any doubt—that, at the time of filing the complaint, the 2<sup>nd</sup> respondent was completely unaware of a YouTube channel named RedPix.
83. I submit that I have served the previous Matadhipathi of this very Mutt during one of his trips to Mumbai for almost 10 days, cooking for him, performing Thiruvaradhanam, caring for his health and accompanying him in all his public discourses, and as a result, I am fully acquainted with the background of the 2<sup>nd</sup> respondent, including his history prior to becoming a Sanyasi.
84. I submit that therefore, the inclusion of Mr. Felix Gerald's name in the FIR and the 2<sup>nd</sup> respondent's false claim that Mr. Felix Gerald is my accomplice can only be interpreted as a deliberate and malicious attempt to implicate me, given the Jeeyar's complete lack of knowledge about this individual. This raises a serious possibility that the complaint itself was not drafted or authored by the 2<sup>nd</sup> respondent, but rather by external parties with ulterior motives, further evidencing the unmistakable mala fide intent behind these fabricated accusations
85. I submit that therefore, malafide is unmistakably evident throughout.

#### **EARLIER ATTEMPTS TO DENY FREEDOM OF PETITIONER**

86. I submit that in 2019, the HR&CE Department attempted to have me arrested. Two FIRs, namely (i) Srirangam P.S. Cr. No. 495 of 2019 and (ii) Srirangam P.S. Cr. No. 552 of 2019, were filed, and the Srirangam Police proceeded to arrest the petitioner
87. I submit that the magistrate appropriately declined to grant remand.

88. I submit that thereafter, the Hon'ble Madurai Bench of the Madras High Court was pleased to annul both FIRs, deeming them an abuse of the legal process, vide its order dated 24.02.2022, in CrI. O.P. (MD). Nos. 20380 & 20387 of 2021.

#### **ABSURD AND IMPROBABLE ALLEGATIONS**

89. I submit that the contents of the complaint are so absurd and improbable that no prudent person could conclude that there is any ground to proceed.

90. I submit that, as stated supra, the video was published to highlight the change of heart of Mr. Udhayanidhi Stalin with regards to his stand on Sanathana Dharma.

91. I submit that the 2<sup>nd</sup> respondent by his own admission, had visited the residence of Mr. Udhayanidhi Stalin.

92. I submit that the video contains no references to the faith or practices of Sri Vaishnava Sampradhaya, nor does it include any remarks insulting either the 2<sup>nd</sup> respondent or the Mutt, as made by the petitioner herein

93. I submit that there have been no reported instances of riots or clashes, not only up to 15.12.2024, but even as of today.

94. I submit that none of the words in the video pertain to offending anyone's religious sentiments.

#### **PRIMA FACIE NON-EXISTENT**

95. I submit that on its face, the complaint does not establish a prima facie case

96. I submit that no portion of the complaint discloses any specific word, words, or phrases that would invoke any of the sections cited in the FIR

## **ALLEGATIONS AND EVIDENCE DON'T DISCLOSE ANY OFFENSE OR CASE AGAINST THE ACCUSED**

97. I submit that as stated supra, neither the allegations nor the evidence reveal any offense or case against the petitioner.
98. I submit that recording a phone conversation does not constitute a crime under any recognized legal provision in the country. No specific statute in India criminalizes a person recording a phone conversation they are part of, provided it is not used for illegal purposes (e.g., blackmail),
99. I submit that when a phone conversation is recorded for personal reference or as evidence, it is not a crime.
100. I submit that sharing truthful information which are matter of public importance does not amount to defamation.
101. I submit that there is no instance of two religious communities being incited against each other, nor is any such evidence presented.

## **BHAJAN LAL GUIDELINES**

102. I submit the Hon'ble Supreme Court of India in **State of Haryana v. Bhajan Lal (1992 AIR 605, 992 SCC (1) 335)** in its landmark judgment provides seven guidelines for quashing an FIR u/s 528 of BNSS, focusing on preventing abuse of process or securing justice. The following are the guidelines
  - (i) Allegations, taken at face value, don't prima facie constitute an offense or make a case against the accused.
  - (ii) Allegations and materials don't disclose a cognizable offense, justifying police investigation under CrPC 156(1).
  - (iii) Allegations and evidence don't disclose any offense or case against the accused.

- (iv) Allegations constitute only a non-cognizable offense, barring investigation without a Magistrate's order (CrPC 155(2)).
- (v) Allegations are so absurd and improbable that no prudent person could conclude there's ground to proceed.
- (vi) An express legal bar exists in the CrPC or relevant Act, or a specific redress mechanism is available.
- (vii) Proceedings are manifestly mala fide or maliciously instituted with an ulterior motive for vengeance due to private/personal grudge.

103. I submit that as explained in detail supra, the FIR does not disclose any offence, let alone cognizable or non-cognizable. The entire FIR is absurd and is filed with malafide intentions in order to wreak havoc on the petitioner, for reasons best known to the 2<sup>nd</sup> respondent.

104. I submit that while there is nowhere in the video the petitioner has either accused or insulted the 2<sup>nd</sup> respondent or questioned his authority as the head of his Mutt.

105. I submit that as a matter of fact, the petitioner, who is also a Sri Vaishnavite, has great reverence, respect and regards to the 2<sup>nd</sup> respondent as the Head of the Mutt, and believes that it is his primary duty as a person in Gruhastrashrama, to care for the welfare of the 2<sup>nd</sup> respondent who is a Sanyasi as specified in Vedas.

106. I submit that while it is true that only a portion of the conversation which pertains to the visit of the 2<sup>nd</sup> respondent and other Jeeyars to the house of Mr. Udhayanidhi Stalin, was published as that was a matter of public importance. As per S. 356 BNS, Exception 1

It is not defamation to impute anything which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact.

#### **OTHER CASE LAWS AGAINST FIR**

107. I submit the following case laws are relied by the petitioner in support of his case:

(i) Bilal Ahmed Kaloo v. State of A.P. (1997 CriLJ 4091)

- The Hon'ble Supreme Court held that the common feature in Sections 153A and 505(2) (S. 192 & S. 353(1)(b) in BNS), being promotion of feeling of enmity, hatred or ill-will "between different" religious or racial or linguistic or regional groups or castes and communities, it is necessary that at least two such groups or communities should be involved. Further, it was observed that merely inciting the feeling of one community or group without any reference to any other community or group cannot attract either of the two Sections.
- The petitioner's allegations do not involve two groups at all.
- The Hon'ble Supreme Court had clearly held that unless one group is pitted against the other on the aforementioned grounds, the penal provisions are not at all attracted. The petitioner has not pitted one group against the other. The petitioner is a Sri Vaishnavite. So is the 2<sup>nd</sup> respondent. The Mutt to which the 2<sup>nd</sup> respondent is a Matadhipathi is also a Sri Vaishnava Mutt.
- Thus there is no pitting of one group against the other on any of the ground set out in the penal provision.

- (ii) Hon'ble Supreme Court of India in State of Haryana v. Bhajan Lal (1992 AIR 605, 992 SCC (1) 335) laid down seven categories of cases by way of illustration wherein the constitutional courts would be justified in invoking the extraordinary power under Article 226 or the inherent powers under Section 482 of Cr.PC to quash the criminal prosecution.

## **GROUND**

- (i) The registration of FIR is arbitrary, illegal and misuse & abuse of process of law.
- (ii) The FIR has no allegations whatsoever, and even if one may assume that there are allegations when taken at face value and accepted in its entirety do not prima facie constitute any offence or make out a case against the accused.
- (iii) The allegations made in the FIR or complaint are so absurd and inherently improbable and any untoward incident stated in the FIR/complaint is nothing but a figment of imagination of the complainant. No prudent person can ever reach a just conclusion that there is any ground whatsoever for proceeding against the accused.
- (iv) The criminal proceeding is clearly manifestly attended with mala fide and the proceeding is maliciously instituted with an ulterior motive for wrecking vengeance on the accused, with a view to spite him.
- (v) Entire case was filed to cause harm to the petitioner as the petitioner's spirit to expose corruption and maladministration in Hindu Religious institutions in the manner known to law
- (vi) The primary purpose for the FIRs is to humiliate the petitioner in public and intimidate the petitioner. The FIR is liable to be quashed on this ground alone.



(vii) The FIRs are clearly ones that are possessed of falsehood and continuation of the prosecution pursuant such FIR is an abuse of process of Law.

108. I submit that that in the view of the parameters referred above and perusal of FIRs, remand reports and orders of the learned Magistrate of the Judicial Magistrate II Court, Sivakasi, the entire process of filing the FIR and arresting this petitioner is a gross and blatant abuse of process of Law.

109. I submit that the 1<sup>st</sup> respondent's office was misused by the 1<sup>st</sup> and 2<sup>nd</sup> respondents to criminally conspire to settle political scores on this petitioner and settle scores for reasons mentioned supra.

It is therefore prayed that this Hon'ble Court may be pleased **to call for records in FIR in Cyber Crime Wing I, CCW- Chennai City, Cr. No. 320/2024, QUASH the same** and pass such other orders as this Hon'ble Court may deem fit to the facts and circumstances of the case and render justice.

110. I submit that irreparable loss and prejudice would be caused to me if a stay of the operation of the FIR in Cyber Crime Wing I, CCW- Chennai City, Cr. No. 320/2024 is not granted whereas no loss or prejudice would be caused to anyone much less the respondents.

111. I submit that I have made out a prima facie case and the balance of convenience is in my favor and in favor of the grant of relief.

It is therefore prayed that this Hon'ble Court stay all further proceedings of the operation of the FIR in Cyber Crime Wing I, CCW- Chennai City, Cr. No. 320/2024, pending disposal of the above Criminal Original Petition and pass such or further orders as the Hon'ble Court deems fit to the facts and circumstances of the case and render justice.

112. I submit that as stated supra, the 1<sup>st</sup> respondent had confiscated the following items belonging to the petitioner/accused from his house on 16.12.2024.

- (i) Samsung Galaxy S22 Ultra Mobile Phone – 1 No.
- (ii) Seagate Hard Disk – 10 TB external hard drive – 1 No.
- (iii) Tapo CCTV Camera – 2 Nos.
- (iv) MI CCTV Camera – 2 Nos.
- (v) Apple MacBook Pro – 1 No.
- (vi) Apple iPad – 1 No
- (vii) Canon EOS 200 D Mark II photographic Camera – 1 No
- (viii) Roshan Handbag – 1 No.

113. I submit that as stated supra, the petitioner here in, has filed several public interest litigations before the Hon'ble Madras High Court and the Hon'ble Madurai Bench of Madras High Court apart from Special Leave Petitions (Criminal) before the Hon'ble Supreme Court of India. The total no. of cases filed by the petitioner exceeds 100.

114. I submit that the gadgets seized from the petitioner especially, iPad, MacBook Pro, Samsung phone and the external hard disk drives have data related to these cases.

115. I submit that the CCTV cameras installed in the house of the petitioner is for the security of the petitioner who has been subject to physical attack several times which is reported to the Srirangam Police Station as well.

116. I submit that the Hon'ble Madurai Bench of Madras High Court in its judgment dated 01.12.2022 in Crl. O. P. (MD). No. 18083 of 2022, acknowledged

the threat from various sources to the petitioner herein. The operational portion of the order is presented below for ready reference:

5.The party-in-person is agitating his rights in the various Courts in Tamil Nadu including the Principal Bench as well as Madurai Bench and Courts in Trichy District. While so, it is natural that he is also subjected to litigation from the opponents. At the same time, **the submission of the party-in- person is that he was attacked inside the Court premises cannot be tolerated** if at all any one is having grievances, it is for them to file either a criminal complaint with the Police or before the Court. They shall not take the law in their own hands. Since it is occurred in Trichy, the Commissioner of Police, Trichy, has to enquire the same through the sub-ordinates. If there is any lapses found from his sub-ordinates, he shall take appropriate action. Also, the Judicial Officers in the Courts had duty to protect the litigants, accused, witnesses, who appear before their Courts. They cannot remain mute spectators. They are armed with sufficient procedures of law and at their instances, they can summon the police officers and pass appropriate orders. Based on the submission of the party in person before this court in Crl. O.P(MD)No.18082 of 2022, in which, this Court directed the party-in-person to approach the Judicial Magistrate concerned in the light of the ruling of the Division Bench of this Court. Accordingly, he had proceeded. Therefore, this Court does not intend to go into those details. At the same time, **what had been expressed by the Petitioner that they have grievances against him by the police officers.**

**Therefore, they remained indifferent is found justified in the light of the fact that the Petitioner had been agitating for his own as well as through Public Interest Litigation and the people, who were affected by his Public Interest Litigation cases. Therefore, the enquiry report, which is before this Court is not taken in toto. The Commissioner of Police, Trichy, is directed to take a call and consider the fact that there is threat perception from the fact that he had been threatened by people, who came on two wheeler and the third person is not before the Investigation Officer who had conducted the enquiry regarding the threat perception. The submission of the learned Additional Public Prosecutor based on instructions of Srirangam Town Police Station, Inspector of Police, that there is no threat perception, cannot be accepted.** Since the Inspector of Police had not taken details of the third person, who is alleged to be aboard and in cases of this nature, he/she should have taken full details of the persons also and the party in person had been attacked inside the Court campus. **In the light of those instances, the report is not accepted in toto.** The Commissioner of Police, Trichy, shall review the same and take appropriate call and **if any untoward incident happens either to the Petitioner or to his family members, the Respondents 2 to 4 are personally responsible.** (Emphasis supplied)

117. I submit that in CrI. O. P. (MD). No. 18083 of 2022 the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> respondents are respectively the Commissioner of Police, Trichy, The Inspector of Police, Sessions Court Police Station, Trichy Combined Court Campus, Trichy and the Inspector of Police, Srirangam Police Station, Srirangam.
118. I submit that the petitioner undertakes that he will not delete any files related to the video in question in any of the cases, and the recorded telephone conversation with the 2<sup>nd</sup> respondent.
119. I submit that the attempt of the petitioner with a petition in CRLMP 523 of 2025 before the Learned Metropolitan Magistrate XI, Saidapet by its order dated 28.02.2025 without specifying any reason for the refusal.
120. I submit that the petitioner fears that all data on his MacBook Pro laptop, Samsung mobile phone, iPad, and external hard drives may be deleted by the 1<sup>st</sup> respondent, given the mala fide manner in which the entire arrest process has been conducted

It is therefore prayed that this Hon'ble Court **direct the 1<sup>st</sup> respondent to return**

- (i) **Samsung Galaxy S22 Ultra Mobile Phone – 1 No.**
- (ii) **Seagate Hard Disk – 10 TB external hard drive – 1 No.**
- (iii) **Tapo CCTV Camera – 2 Nos.**
- (iv) **MI CCTV Camera – 2 Nos.**
- (v) **Apple MacBook Pro – 1 No.**
- (vi) **Apple iPad – 1 No**
- (vii) **Canon EOS 200 D Mark II photographic Camera – 1 No**
- (viii) **Roshan Handbag – 1 No.**

**confiscated from the residence of the petitioner pending disposal of the above Criminal Original Petition** and pass such or further orders as the Hon'ble Court deems fit to the facts and circumstances of the case and render justice

Solemnly affirmed at Chennai  
on this the 06, March 2025  
and signed his name in my presence

BEFORE ME