



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 22663 of 2026

and

Crl.M.P.No.15036 of 2026

V.Jai Krishnan
Rep. by his Father,
guardian Next Friend,
N.Vijayakumar,
5/43, Panathampatty Goundar Thottam,
Poolavadi, Udumalaipettam,
Tiruppur District-642206.

..Petitioner(s)

Vs

1. The State Rep. by, The Inspector of Police
Udumalpet Police Station,
Udumalpet, Tiruppur District.
2. M.Ramkumar
S/o. Mahalingam,
407, Ariyanachipalayam, Madathukulam,
Jothampatti, Tiruppur District.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 528 of BNSS praying to call for records pertaining to the Cr.No.231 of 2022 on the file of the Udumalpet Police Station, Tiruppur District and Quash the same and pass such further or other orders as this Honble Court may deem fit and thus render justice.

For Petitioner(s): Mr.G.SUJITH

For Respondent(s): Mr.R.Ganesh Kumr
Counsel for Government for R1



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ORDER

This Criminal Original Petition has been filed to quash the FIR in Cr.No.231 of 2022 on the file of the Udumalpet Police Station, Tiruppur District.

2. The case of the prosecution is that on 25.04.2022 at about 08.20.p.m., the petitioner was riding a bullet motorcycle bearing Reg.No.TN 78 AZ 8074 on the Udumalpet – Dharapuram Main Road near Thanthoni Bus Stop. It is alleged that while attempting to overtake a Tata Ace vehicle proceeding ahead of him, the petitioner drove the motorcycle at a high speed, in a rash and negligent manner and on the wrong side of the road, and collided with the motorcycle ridden by the defacto complainant, who was proceeding in the opposite direction on Hero Honda motorcycle. Due to the impact of the collision, the defacto complainant sustained injuries to his right wrist and right leg below the knee and was treated at the Government Hospital, Udumalpet. Based on the complaint given by the defacto complainant, FIR in Crime No.231 of 2022 was registered for the offence under Sections 279 and 337 of IPC.



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3. The learned counsel for the petitioner submitted that the FIR has been kept pending for over four years since its registration. He stated that during the accident, the petitioner also sustained grievous and life-threatening injuries and is still undergoing medical treatment. In the meantime, although the first respondent received the complaint and completed the investigation, they failed to file a charge sheet. He further submitted that since the offences under Sections 279 and 337 of the IPC are punishable with a maximum imprisonment of six months, the first respondent ought to have filed the final report within one year from the date of registration of the FIR, as mandated by the statute of limitation. Consequently, the trial court is legally barred from taking cognizance.

4. Admittedly, the first respondent has kept the FIR pending for above four years. Therefore, the proceedings are directly hit by Section 468 of the Code of Criminal Procedure (CrPC), 1973 (now Section 528 of the BNSS, 2023). The final report ought to have been filed within one year from the date of registration of the FIR. Simply keeping the FIR pending without filing a final report serves no legal purpose. In view of the above, the FIR in Crime No. 231 of 2022 is hereby quashed against the petitioner.



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5. Accordingly, this Criminal Original Petition is allowed. No costs.
Consequently, connected miscellaneous petition is closed.

14-08-2026

SMA

To

1. The Inspector of Police
Udumalpet Police Station,
Udumalpet, Tiruppur District.
2. The Public Prosecutor,
Madras High Court.



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G.K.ILANTHIRAIYAN, J.

SMA

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