

Crl.OP(MD) No.13765 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.07.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Crl.OP.(MD)No.13765 of 2026
and Crl.MP(MD) No.13454 of 2026

Valan Dijo

... Petitioner

Vs

1. State of Tamilnadu Rep by
Inspector of Police, Anjugramam Police Station,
Kanyakumari District.
Crime No. 543 of 2016.

2. Albert

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records relating to the Criminal Case in Cr.No.543 of 2016 dt. 27.11.2016 registered on the file of the 1st Respondent Police and quash the same.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.B.Arun
Government Advocate (Crl.Side)
for R1



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ORDER

The present petition has been filed by the first accused in Cr.No. 543 of 2016 on the file of the first respondent seeking to quash the FIR, wherein, the petitioner is alleged to have committed offences under Sections 294(b), 323, 506(i) IPC.

2.The petitioner had earlier filed a petition before this Court in CrI.O.P(MD) No.5202 of 2025 seeking to quash the same FIR. The respondents made a submission that already charge sheet has been filed. Recording the said submission, that petition was closed on 19.01.2016 as infructuous.

3.Thereafter, the petitioner has filed a copy application before the concerned Court seeking a copy of the Charge sheet and the same has been returned by the Court on the ground that no charge sheet has been filed and therefore, the petitioner is constrained to file the second quash petition. Therefore, there cannot be any dispute with regard to the maintainability of the second quash petition.



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4. According to the learned counsel appearing for the petitioner, FIR has been registered on 27.11.2016, for the alleged offences under Sections 294(b), 323, 506(i) IPC. The maximum punishment is 2 years for 506(i) IPC and in such circumstances, the Charge sheet having not been filed within a period of three years as contemplated in the Section 468(2)(c) of Cr.P.C is clearly barred by limitation.

5. The learned Government Advocate (CrI.Side) appearing for the first respondent police confirmed the fact that so far charge sheet has not been filed.

6. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

6. In view of the above facts, it is clear that the charge sheet having not been filed for the past ten years. It is clearly barred by limitation in view of Section 468(2)(c) of Cr.P.C. In such circumstances, continuation of criminal proceedings will only be an abuse of process of law. Hence, the FIR in Cr.No. 543 of 2016 stands quashed.



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7. Accordingly, this Criminal Original Petition stands allowed.

Consequently, connected miscellaneous petition is closed.

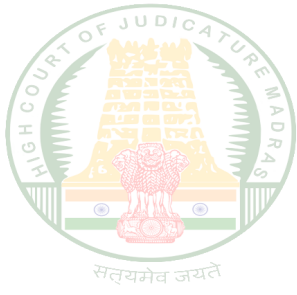
09.07.2026

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

To

1. The Inspector of Police, Anjugramam Police Station,
Kanyakumari District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

PNM

ORDER MADE IN
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