



Crl. O.P.(MD) No.11344 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

**Crl.O.P(MD).No.11344 of 2024
and
Crl.M.P(MD)No.7323 of 2024**

1. K.Ramadevi
2. K.Selvi

... Petitioners

Vs

1. The Inspector of Police,
Theni Police Station,
Theni District,
Crime No.73/2022.

2. Ponnammal

... Respondents

PRAYER: To call for the records relating to the proceedings in CC.No.452/2023 on the file of the Judicial Magistrate Court, Theni and quash the same.

For petitioner	: Mr.P.Saravanan
For R1	: Mr.B.Arun
	Counsel for State of TN (Crl.Side)
For R2	: No Appearance



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ORDER

The present petition has been filed by A1 and A2 in C.C.No.452 of 2023, on the file of the Judicial Magistrate, Theni, seeking to quash the charge sheet, wherein they are charged with the offence under Sections 447, 294(b), 323 and 109 of IPC.

2. Though notice was served on the defacto complainant on 14.08.2024 and the name has also been printed in the cause list, there is no representation either in person or through counsel.

3. A perusal of the charge sheet reveals that due to family dispute that there was a quarrel between the petitioners and the defacto complainant and the defacto complainant alleged that she was abused and attacked by the accused persons and simple injuries were caused to her.



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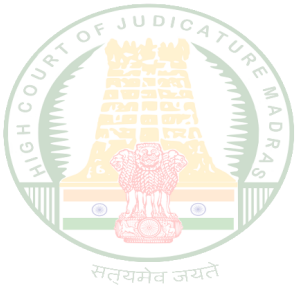
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4. According to the learned counsel appearing for the petitioner, the date of occurrence is 25.02.2022 and FIR has been registered on the same date. However, the charge sheet was laid only on 18.07.2023, i.e., beyond a period of one year and therefore, the charge sheet is liable to be quashed.

5. Heard the learned counsel appearing for the petitioner and perused the material records of the case.

6. As could be seen from the charge sheet, the petitioner is charged with the offence of the Sections 447, 294(b), 323 and 109 of IPC. The maximum punishment for an offence under Sections 447 and 294(b) of IPC is 3 months and Section 323 of IPC is one year.

7. In such circumstances, the charge sheet should have been laid within a period of one year as contemplated under Section 468(2)(b) of Cr.PC. The charge sheet having been laid on 18.07.2023, is clearly beyond the period of one year.



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8. In such circumstances, continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law and therefore, the charge sheet in C.C.No.452 of 2023, on the file of the Judicial Magistrate, Theni, stands quashed. Accordingly, the criminal original petition stands allowed. Consequently, connected miscellaneous petition is closed.

08.07.2026

Index : Yes / No
Internet : Yes / No
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To:

1. The Inspector of Police,
Theni Police Station,
Theni District,
Crime No.73/2022.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

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**Crl.O.P(MD).No.11344 of 2026
and
Crl.M.P(MD)No.5130 of 2026**

08.07.2026