



CrI.O.P(MD) No.14209 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD) No.14209 of 2026

and

CrI.M.P(MD) No.13790 of 2026

1. Ayyanar
2. Ammaiyappan
3. Manoharan
4. Mariappan
5. Gnanaprakasam
6. Saddamhussein @ Sadham Hussain
(Wrongly mentioned as Saddamhussein in
Crime No.447 of 2023 instead of
Sadham Hussain)
7. Gopalakrishnan
8. Karuppasamy
9. Gurusamy
10. Avutaiyappan @ Aavudaiyappan
(Wrongly mentioned as Avutaiyappan in
Crime No.447 of 2023 instead of
Aavudaiyappan)



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11. Shake @ Shek Parith,
(Wrongly mentioned as Shake in
Crime No.447 of 2023 instead of
Shek Parith)
12. Sarip @ Mohammed Sarif,
(Wrongly mentioned as Sarip in
Crime No.447 of 2023 instead of
Mohammed Sarif)
13. Ramachandran
14. Chandran
15. Selvaraj
16. Kanagaraj
17. Muhammad Raja @ Mohammed Raja
(Wrongly mentioned as Muhammad Raja in
Crime No.447 of 2023 instead of
Mohammed Raja)
18. Wasim Akram
19. Bharathiraja
20. Murugan
21. Balamurugan
22. Muniyandi
23. Dharmaraj
24. Muthusamy



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26. Madasamy

27. Sankarasubbu

28. Muthulakshmi

29. Ramalakshmi

... Petitioners/

Accused No.1 to 3, 5 to 12, 14 to 29,
31 and 32

Vs

1. State of Tamil Nadu

Represented by

The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
(Crime No.447 of 2023)

... 1st Respondent/
Complainant

2. M.Murugaraj

Sub-Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

... 2nd Respondent/
Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in connection with the FIR in Crime No.447 of 2023, dated 05.11.2023 pending investigation on the file of the first respondent police for the offences under Sections 143, 341 & 290 of IPC (Corresponding Sections 189(2), 126(2), 292 of BNS, 2023) on the file of the first respondent police and quash the same against the petitioners as illegal.



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For Petitioners : Mr.R.Ganeshprabu
For R1 : Mr.G.Ganesh Kumar
Government Advocate (CrI.Side)

ORDER

The present Criminal Original Petition has been filed by the accused persons in Crime No.447 of 2023, on the file of the first respondent police seeking to quash the FIR, wherein they are alleged to have committed offences under Sections 143, 341 & 290 of IPC.

2. According to the learned counsel appearing for the petitioners, the FIR was registered on 05.11.2023 and the charge sheet has not been laid so far and hence the trial Court cannot take cognizance of the same in view of the bar under Section 468 of Cr.P.C.

3. The learned Government Advocate (CrI.Side) appearing for the first respondent submitted that charge sheet has been laid on 17.09.2025 before the learned Judicial Magistrate, Rajapalayam.



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4. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

5. The maximum punishment for an offence under Section 143 of IPC is six months, the maximum punishment for an offence under Section 341 of IPC is six months and the maximum punishment for an offence under Section 290 of IPC is fine. Therefore, the charge sheet has to be laid within a period of one year as contemplated under Section 468 (2) (b) of Cr.P.C. However, the charge sheet has been laid on 17.09.2025 is clearly beyond the period of one year and hence bar under Section 468(2) (b) of Cr.P.C.

6. In such view of the matter, the continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law and therefore, the FIR in Crime No.447 of 2023, on the file of the first respondent police is hereby quashed.



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7. Accordingly, this Criminal Original Petition is allowed.

Consequently, connected Miscellaneous Petition is closed.

23.07.2026

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

1. The Judicial Magistrate,
Rajapalayam.
2. The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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