



WEB COPY



CrI.O.P(MD) No.14629 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD) No.14629 of 2026

and

CrI.M.P(MD) No.14178 of 2026

1. Mohamed Abdul Rahman

2. Umar Farook

3. Gulam Thasthakeer

4. Syed Jahir

5. Mohamed Hussian

6. Lal Basha

7. Rasool Moitheen

... Petitioners/
Accused Nos.1 to 7

Vs

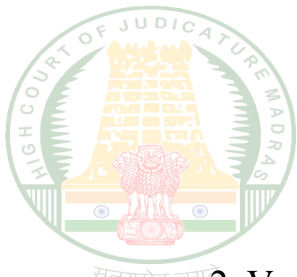
1. State of Tamil Nadu

Represented by

The Inspector of Police,
Siruganur Police Station,
Trichy District.

(In Crime No.41 of 2023)

... 1st Respondent/
Complainant



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2. Varatharaj
S/o. Chokkalingam
No.8, Siruganur
Village Administrative Officer VAO,
Mannachanallur TK, Trichy

.... 2nd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the impugned charge sheet in Crime No.41 of 2023 on the file of the first respondent and to quash the same as illegal and pass such further order or other orders as this Court may deem fit.

For Petitioners : Mr.SMA. Jinnah
For R1 : Mr.G.Ganesh Kumar
Government Advocate (Crl.Side)

ORDER

The present Criminal Original Petition has been filed by the accused persons in Crime No.41 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, 188, 153A and 505 (2) of IPC.

2. A perusal of the FIR reveals that in a conference arranged by the petitioners, A1 is said to have spoken ill of other religions. It is further alleged that some objectionable photographs were displayed in the conference.



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3. According to the learned counsel appearing for the petitioners, the FIR was registered on 06.02.2023 and so far charge sheet has not been filed and in such circumstances, the Court cannot take cognizance in view of the bar under Section 468 of Cr.P.C.

4. The learned Government Advocate (CrI.Side) appearing for the first respondent, on instructions submitted that the charge sheet is ready and so far it has not been filed.

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

6. It could be seen from the FIR that the petitioners are alleged to have committed offences under Sections 143, 188, 153(A) and 505(2) of IPC. The maximum punishment that could be imposed under Sections 153A and 505(2) of IPC is three years and as far as the offence under Section 143 of IPC, the maximum punishment is six months. As far as the offence under Section 188 of IPC is concerned, the maximum punishment is one month.



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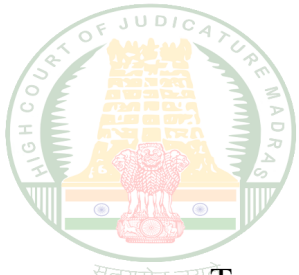
7. In such view of the matter, charge sheet should have been laid within a period of three years as contemplated under Section 468(2) (C) of Cr.P.C. So far the charge sheet has not been laid.

8. In such view of the matter, the Court cannot take cognizance of the alleged offences in view of the bar under Cr.P.C. Hence continuation of the criminal proceedings as against the petitioners would only be an abuse of process of law. Therefore, the FIR in Crime No.41 of 2023 on the file of the first respondent is hereby quashed.

9. Accordingly, this Criminal Original Petition is allowed. Consequently connected Miscellaneous Petition is closed.

17.07.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



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1. The Inspector of Police,
Siruganur Police Station,
Trichy District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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