



Crl.O.P.(MD).No.15403 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P(MD)No.15403 of 2026

and

Crl.M.P(MD) No.14942 of 2026

Sethu Madhavan

...Petitioner/Accused No.4

Vs

1. The State of Tamil Nadu

Represented by

The Inspector of Police,

Sessions Court Police Station,

Trichy City.

(Crime No.278 of 2023

... 1st Respondent/Complainant

2. P.Mohan

Sub -Inspector of Police,

Sessions Court Police Station,

Trichy City.

... 2nd Respondent/De-facto
Complainant

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records impugned FIR in Crime No.278 of 2023 on the file of the first respondent police and quash the same as against the petitioner is concerned.



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For Petitioner : Mr.V.M.Jegadeesha Pandian
For R1 : Mr.B.Arun
Government Advocate (Crl Side)

ORDER

The present petition has been filed by the fourth accused in Crime No. 278 of 2023, on the file of the first respondent police seeking to quash the FIR, wherein the petitioner is alleged to have committed offences under Sections 143 and 290 of IPC and Section 151 of Code of Criminal Procedure, 1973.

2. A perusal of the FIR reveals that the petitioner along with others are said to have unlawfully assembled and objected to the removal of encroachment made by the Government Officials.

3. According to the learned counsel appearing for the petitioner, the maximum punishment for the offences is six months under the concerned provisions and since charge sheet has not been laid for the past three years, it is barred by limitation.



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4. The learned Government Advocate (CrI.Side) appearing for the first respondent submitted that though the charge sheet was made ready on the date of filing of the FIR, so far it has not been filed before the Court.

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

6. The maximum punishment for the offence under Section 143 of IPC is six months, the offence under Section 290 of IPC is fine only and the offence under Section 151 of Cr.P.C is six months.

7. In view of Section 468 (2)(b) of Cr.P.C., charge Sheet should have been laid within a period of one year. In the present case, FIR has been registered on 17.05.2023 and so far charge sheet has not been laid.

8. In such view of the matter, the continuation of the proceedings as against the accused person only be an abuse of process of law. Therefore,



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Crime No.278 of 2023 on the file of the first respondent police is quashed as against the petitioner herein and this Criminal Original Petition is allowed. Consequently connected Miscellaneous Petition is closed.

27.07.2026

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

To

1. The Inspector of Police,
Sessions Court Police Station,
Trichy City.
- 2.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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R.VIJAYAKUMAR,J.

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