



*Crl.O.P.(MD)No.22740 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**Crl.O.P.(MD)No. 22740 of 2023**

Muthukumar

... Petitioner

Vs.

1.State of Tamil Nadu rep. by  
The Inspector of Police,  
Uthirakosamangai Police Station,  
Ramanathapuram District.  
(Crime No.30 of 2021)

2.Rajendiran

... Respondents

**PRAYER :** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the final report in STC.No.2728 of 2022 on the file of the Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District and quash the same as illegal.

For Petitioner : Mr.B.Mahendira Rajan

For Respondents : Mr. M.Vaikkam Karunanithi  
Government Advocate (Crl. Side)

**ORDER**

This petition is filed seeking quashment of STC.No.2728 of



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2022 on the file of the Judicial Magistrate No.I, Ramanathapuram,  
Ramanathapuram District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent.

3.The case of the petitioner is that on 24.03.2021, without getting prior permission from the competent authority the petitioner herein was involved in fixing the party flag. Hence, a case in Crime No. 30 of 2021 for the offences punishable under Sections 4A(1a) and 4B of TN Open Place (Prevention of disfigurement) Act, 1959 has been registered against the petitioner. After completing the investigation, the first respondent has filed the final report before the concerned Judicial Magistrate and the same was taken on file in S.T.C.No.2728 of 2022 on the file of the Judicial Magistrate No.I, Ramanathapuram. The present petition is filed to quash the said S.T.C.No. 2728 of 2022 on the file of the learned Judicial Magistrate No.I, Ramanathapuram.



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4. The learned Government Advocate (Crl. Side) appearing for the first respondent on verification with the Investigating Officer would submit that the Final Report has been presented before the concerned Court only on 29.07.2023.

5. It is seen from the records that FIR registered on 24.03.2021 and the final report has been filed only on 29.07.2023 (i.e.,) after a period of one year. Also a petition seeking extension of time under Section 473 Cr.P.C., has also not been filed before the concerned Court.

6. In view of the forgoing reasons, this Criminal Original Petition is allowed. Case in S.T.C.No.2728 of 2022, pending on the file of the learned Judicial Magistrate No.I, Ramanathapuram, is hereby quashed as against the petitioner herein.

**19.12.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
trp



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To

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1. The Judicial Magistrate No.I, Ramanathapuram, Ramanathapuram District.
- 2.The Inspector of Police,  
Uthirakosamangai Police Station,  
Ramanathapuram District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN,J**

trp

Order made in  
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