



Crl. O.P. No. 7034 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 7034 of 2025

and

Crl. M.P. No. 4488 of 2025

1.Thangamani
2.Wilson

... Petitioner

Vs

1.The State rep., by
The Sub Inspector of Police,
Mettupalayam Police Station,
Coimbatore District – 641 301.
(Crime No. 452 of 2024)

2.Saritha

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records pertaining to the case in Crime No. 452 of 2024 on the file of the first respondent and to quash the same.

For Petitioners : Mr. T.R. Gayathri

For Respondents : Mr. A. Gopinath, for R1
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to quash the FIR registered in Crime No. 452 of 2024 on the file of the first respondent.

2. On the complaint lodged by the second respondent, the first respondent registered the FIR in Crime No. 452 of 2024 for the offence punishable under Section 294(b) of IPC, 1860, alleging that the employees were working to install air conditioner in the second respondent's house, that there was wordy quarrel between the second respondent and the first petitioner who were neighbours.

3. That apart, in this regard, already the suit is also pending in O.S. No. 183 of 2022 on the file of the District Munsif Court, Mettupalayam. While being so, the petitioners scolded the second respondent by using harsh words. The FIR has been registered on 04.07.2024. However, so far, the first respondent did not file any final report after completion of investigation. The offence under Section 294 is punishable with maximum three months imprisonment. Therefore, as per Section 468 of CrPC., the trial Court has to take cognizance within a period of six months from the date of registration of



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FIR. Now the six months period already been lapsed and even then, the first respondent failed to complete the investigation and file any final report.

4. Therefore, the trial Court cannot take any cognizance on the final report, if any, filed by the first respondent. Hence, in keeping the FIR mere pending did not serve any purpose and in order to meet ends of justice, this Court is inclined to quash the FIR registered in Crime No.452 of 2024.

5. Accordingly, this Criminal Original Petition stands allowed and the FIR in Crime No.452 of 2024 registered by the first respondent police for the offence under Section 294(b) of IPC is hereby quashed as against the petitioners. Consequently, connected miscellaneous petition is closed.

12.03.2025

Index:Yes/No
Neutral Citation :Yes/No
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G.K.ILANTHIRAIYAN. J,

AT

To

1.The Sub Inspector of Police,
Mettupalayam Police Station,
Coimbatore District – 641 301.

2.The Public Prosecutor,
High Court, Madras.

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