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Crl.O.P.No. 8076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.8076 of 2025

Kavin Kumar

... Petitioner

Vs.

1.The State, rep. By
Inspector of Police,
Chengelpet Town Police Station,
Chenglapet District.
Crime No.90 of 2018.

2.S.Mangalapriya

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to call for the records and quash the FIR in Crime No. 90 of 2018 on the file of the first respondent since it is barred by limitation.

For Petitioner : Mr.K.N.Nataraj

For R1 : Mr.A.Gopinath
Government Advocate (crl.side)



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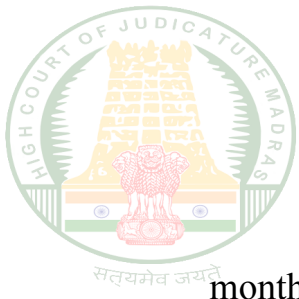
ORDER

This petition has been filed seeking the quashing of the FIR in Crime No. 90 of 2018 on the file of the first respondent, registered for the offence under Section 160 of IPC.

2. The case of the prosecution, as per the FIR, on 27.02.2018, during a patrol duty, the second respondent along with her team, observed a disturbance on Chengalpattu to Kanchipuram Road, Thattan Hill Street. Two groups had blocked the road and when asked to give way, an altercation ensued between the parties. Hence, the case.

3. Heard both sides and perused the materials placed before this Court.

4. On perusal of records, it is evident that the FIR in question was registered in the year 2018 and there has been no significant progress in the investigation thus far. The offence under Section 160 of the IPC, for which the FIR was registered, carries a maximum punishment of one



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month imprisonment or a fine, or both. In view of Section 468 of the Criminal Procedure Code, if the maximum punishment for an offence does not exceed three months, the period of limitation to take cognizance of the trial is only three months from the date of the commission of the offence. In the present case, the period of limitation has expired, as more than seven years have passed since the registration of the FIR. That apart, the first respondent has failed to complete the investigation and file the final report within the prescribed time.

5. Considering the above facts and circumstances of the case, this Court is of the view that there is a bar to the Trial Court for taking cognizance of the offence under Section 160 of the IPC, due to the fact that more than seven years has passed since the registration of the FIR. The mere pendency of the FIR would not serve any useful purpose and would not advance the cause of justice. Therefore, in order to meets the ends of justice, the FIR in Crime No. 90 of 2018 is hereby quashed.

6. Accordingly, the Criminal Original Petition stands allowed.



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Neutral citation : Yes/No
Speaking/non-speaking order
shk

To

1.The Inspector of Police,
Chengelpet Town Police Station,
Chenglapet District.



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High Court, Madras

G.K.ILANTHIRAIYAN, J.

shk



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