



CrI.O.P.No.8997 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM:

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

CrI.O.P.No.8997 of 2025
and CrI.M.P.No.5966 of 2025

K.Dharmaraj

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. By its,
The Inspector of Police,
Andimadam Police Station,
Ariyalur District.
(Crime No.202 of 2019)

2.Mr.Chidambaram

... Respondents

Prayer : Criminal Original Petition has been filed under Section 528 of BNSS Act, 2023, pleaded to quash the impugned FIR in Crime No.202 of 2019 on the file of the 1st respondent, pending disposal of the quash petition.

For Petitioner

: Mr.M.Jothi Kumar

For R1

: Mr.A.Gopinath

Government Advocate (CrI. Side)



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ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.202 of 2019 on the file of the first respondent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the first respondent and perused the materials available on record.

3. The case of the prosecution is that the second respondent lodged a complaint with the first respondent Police on 06.08.2019 at 06.00 a.m alleging that on 05.08.2019 at around 17.00 hrs, while he and his subordinates were on duty, a group of individuals belonging to the Hindu-Adi Dravidar community from Thirukkonam Village approached them and displayed a Tiktok video. In the said video, the petitioner/accused was purportedly seen using obscene language and making caste-based derogatory remarks against the Scheduled Caste community. Hence, the complaint.



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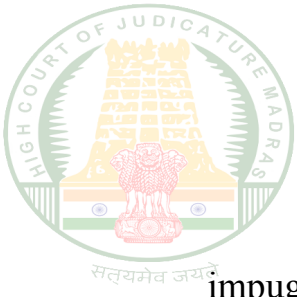
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4. On receipt of the complaint, the first respondent registered FIR in Crime No.202 of 2019 for the offences punishable under Sections 153A(1)(a), 504, 505(2) of IPC read with Section 67 of the Information Technology Act, 2000.

5. It is seen that the maximum punishment for all the offences is three years. Therefore, the period of limitation to take cognizance for these offences is only three years as contemplated under Section 468 of Cr.P.C. However, even after a period of six years, the first respondent failed to file any final report so far.

6. Therefore, though the first respondent files a final report, it cannot be taken into cognizance by the Trial Court, since it is barred by limitation. Hence, mere keeping the FIR pending would not serve any purpose.

7. In view of the above, this Court is inclined to quash the



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impugned FIR on the file of the first respondent. Accordingly, FIR in Crime No.202 of 2019 on the file of the first respondent is hereby quashed.

8. In the result, this Criminal Original Petition is allowed.

Consequently, connected Miscellaneous petition is closed.

26.03.2025

Index: Yes/No
Speaking Order: Yes/No
mn

To

- 1.The Inspector of Police,
Andimadam Police Station,
Ariyalur District.
- 2.The Public Prosecutor,
High Court, Madras.

G.K.ILANTHIRAIYAN,J.



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