



Crl.O.P.No.26136 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.26136 of 2025

R.Vigneshvaran

... Petitioner

Vs.

1. The State Represented by
The Inspector of Police
C-5, Oragadam Police Station
Kanchipuram District
(Crime No.246 of 2018)

2.M.Vivekanandan

.. Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS,
to call for the records relating to FIR in Crime No.246 of 2018 on the file of
the Inspector of Police, C-5, Oragadam Police Station, Kanchipuram
District and quash the same.

For Petitioner : Mr.V.Saravanan

For Respondent : Mr.R.Vinothraja for R1
Government Advocate (Crl.Side)

ORDER

The FIR in Cr.No.246 of 2018 for the offences punishable under
Sections 279 & 337 of IPC is sought to be quashed on the ground that
Court cannot take cognisance since the FIR is of the year 2018 and the



Crl.O.P.No.26136 of 2025

maximum punishment for the alleged offence is 6 months and further, final

report is also not filed.

2.The learned Government Advocate (Crl.Side) fairly submitted that final report is not filed and there is a bar for the Court to take cognisance under 468(2)(b) of CrPC on limitation.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials placed on record.

4. The period of limitation, like a relay race, has a start and a finish point. Sections 467 states that the “period of limitation” is the period prescribed in Section 468 for taking cognizance of an offence. Clause (2) of Section 468 Cr.P.C prescribes a graded period of limitation ranging from six months to three years for offences ranging from punishments of fine upto punishment for a period not exceeding three years

5. The offence under Section 279 of IPC is punishable with maximum imprisonment of six months. The offence under Section 337 of



Crl.O.P.No.26136 of 2025

IPC is also punishable with maximum imprisonment of six months. In view

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of the same, the final report ought to have been filed within one year as provided under Section 468(2)(b) of Cr.PC. Till date, the final report has not been filed. Considering the allegations made in the FIR, no useful purpose will be served in keeping the FIR pending.

6. Such view of the matter, the FIR in Crime No.246 of 2018, pending investigation on the file of the 1st respondent is hereby quashed and this criminal original petition stands allowed.

23.09.2025

Neutral Citation: Yes/No

Internet : Yes/No

dhk

To

1. The Inspector of Police
C-5, Oragadam Police Station
Kanchipuram District
2. The Public Prosecutor
Madras High Court



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Crl.O.P.No.26136 of 2025

N. SATHISH KUMAR, J.

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Crl.O.P.No.26136 of 2025

23.09.2025