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Crl.O.P.(MD). No.18969 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD). No.18969 of 2025
and Crl.M.P.(MD).Nos.15775 & 15776 of 2025

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... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Keelaiyur Police Station,
Ramanathapuram District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to the case registered in impugned charge sheet in S.T.C.No.359 of 2024 on the file of the Judicial Magistrate No.I, Ramanathapuram and quash the same as illegal in respect of the petitioner concerned.



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For Petitioner : Mr.Mohamed Ashick. H

For Respondent : Mr.K.M.D.Muhilan
Additional Public Prosecutor



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ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioner in S.T.C.No.359 of 2024 on the file of the Judicial Magistrate No.I, Ramanathapuram.

2. The brief facts of the case are that the case in Crime No.292 of 2022 was registered against the petitioner and others on 05.08.2022 for the offences under Sections 143 & 268 of IPC, alleging that the petitioner and other accused had unlawfully assembled without obtaining prior permission and conducted a protest against the Central Government. After completion of investigation, the final report was filed and the case has been taken on file by the learned Judicial Magistrate No.I, Ramanathapuram, in S.T.C.No.359 of 2024, which is now sought to be quashed.

3. The submissions of the learned counsel appearing for the petitioner are as follows:-



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3.1. The petitioner has been charged for the offences under Sections 143 & 268 of IPC. As per Section 468 Cr.P.C., the trial Court is barred from taking cognizance if the final report is filed beyond the period of one year. In the present case, the FIR was registered on 05.08.2022, whereas the charge sheet was filed only on 27.03.2024.

3.2. Earlier, the petitioner had approached this Court in Crl.O.P.(MD).No.9909 of 2024 and since there was no representation on behalf of the petitioner, this Court, while dismissing the petition, observed that the petitioner may file a petition for discharge if there was no specific order recording satisfaction regarding the delay. The proceedings in the present case are summary in nature and therefore, the petitioner cannot file a petition seeking discharge. Admittedly, no application has been filed seeking condonation of delay in this case. Further, the present case was suo motu registered by the Sub-Inspector of Police, who also conducted the investigation and filed the final report.

3.3. The facts of the instant case are similar to the facts of the



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cases in *Jeevanandham and others vs. The Inspector of Police,*

Velayuthampalayam Police Station, Karur District reported in (2018 2 LW

(Crl) 606) and *Sri Raja vs Inspector of Police, Sivakasi Town Police*

Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019,

decided on 30.08.2019), in which the proceedings were quashed. Hence, the

learned counsel prayed to quash the proceedings pending against the petitioner.

4. Learned Additional Public Prosecutor appearing for the respondent Police endorses the aforesaid submission.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the opinion that the above said decisions would apply on all fours to the present case and that no useful purpose will be served by keeping the proceedings pending.



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6. Accordingly, the Criminal Original Petition stands allowed and the proceedings pending against the petitioner in S.T.C.No.359 of 2024, on the file of the Judicial Magistrate No.I, Ramanathapuram, are hereby quashed. Consequently, the connected miscellaneous petitions are closed.

06.11.2025

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Neutral Citation: Yes/No



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1. The Judicial Magistrate No.I,
Ramanathapuram.
2. The Inspector of Police,
Keelaiyur Police Station,
Ramanathapuram District.
3. The Public Prosecutor,
High Court of Madras.



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