



WEB COPY



CrI.OP.No.33985 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2025

CORAM:

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

CrI.OP.No.33985 of 2025

1. Devi

2. Shyam Sundar

...Petitioners

Vs.

1. State By: Inspector of Police,
R6 Kumaran Nagar Police Station,
Chennai City.
(Cr.No.27 of 2022)

2. Meenakchi

...Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C./528 of BNSS, 2023 to call for records in FIR in Cr.No.27 of 2022 pending on the file of the respondent No.1 Police Station and quash the same.

For Petitioners : Mr.P.Pugalenth

For Respondents : Mr.S.Santhosh,
Government Advocate (CrI. Side) for R1

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report against the petitioners in Crime No.27 of 2022,



CrI.OP.No.33985 of 2025

on the file of the first respondent Police.

WEB COPY

2. The submissions of the learned counsel appearing for the petitioners are as follows:-

2.1. The case in Crime No.27 of 2022 was registered against the petitioners and two others for the offences under Sections 294(b), 442 and 506(2) of IPC, 1860. It is alleged that the petitioners trespassed the property of the second respondent and based on the complaint given by the de facto complainant, the present case has been registered.

2.2. The maximum punishment prescribed for the aforesaid offences are tabulated hereunder:

Sections	Punishment
294(b) IPC	Imprisonment may extend to three months, or with fine, or with both
442 IPC	Imprisonment may extend to one year or with fine which may extend to Rs.1,000/- or with both
506(1) IPC	Imprisonment may extend to two years, or with fine, or with both

2.3. Hence, the investigation ought to have been completed and the final report filed within three years from the date of registration of



CrI.OP.No.33985 of 2025

the FIR, as mandated under Section 468 Cr.P.C. Therefore, there is a clear bar for taking cognizance if it is filed beyond three years.

2.4. Since the final report was not filed even after the expiry of three years, the learned Magistrate is barred from taking cognizance. Hence, the continuation of the proceedings against the petitioners is an abuse of process of law and hence, the impugned proceedings is liable to be quashed.

3. Learned Government Advocate (CrI.Side) appearing for the first respondent Police submitted that though the investigation in this case has been completed and the charge sheet is yet to be filed before the learned jurisdictional Magistrate.

4. Heard both sides and perused the materials available on record.

5. For the punishments set out in paragraph 2.2. supra, the final report ought to have been filed within three years from the date of registration of the FIR, as per Section 468(1)(2)(c) of Cr.P.C. However, in the instant case, the final report has not been filed within the period of three



CrI.OP.No.33985 of 2025

years and therefore, cognizance cannot be taken.

WEB COPY

6. In view of the above, this Court is of the opinion that no useful purpose would be served by keeping the First Information Report pending. Accordingly, the Criminal Original Petition stands allowed and the First Information Report pending against the accused in Crime No.27 of 2022, on the file of the first respondent Police, is hereby quashed in entirety. Consequently, the connected miscellaneous petitions are closed.

12.12.2025

rap

Speaking order : Yes/No

NCC : Yes/No



CrI.OP.No.33985 of 2025

WEB COPY

To:

1. The Inspector of Police,
R6 Kumaran Nagar Police Station,
Chennai City.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.OP.No.33985 of 2025

A.D.JAGADISH CHANDIRA, J.

rap

Crl.OP.No.33985 of 2025

12.12.2025