



CrI.O.P.No.33905 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.O.P.No.33905 of 2025
and CrI.M.P.No.23683 of 2025

1. Saravanan
2. Ramamoorthi ... Petitioners

Vs.

1. The State of Tamil Nadu represented by,
The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
Crime No.135 of 2021.
2. Girish Kumar ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C / Section 528 of Bharatiya Nagarik Suraksha Sanhita Act, to (a) stay all further processing proceedings in Crime No.135 of 2021 on the file of the 1st respondent pending disposal of Criminal Original Petition before this Court and (b) call for the records relating to the FIR in Crime No.135 of 2021 on the file of the 1st respondent and quash the same with regard to the petitioners only.

For Petitioners : Mr.M.Rajkumar

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



CrI.O.P.No.33905 of 2025

ORDER

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This criminal original petition has been filed seeking to quash the proceedings in Cr.No.135 of 2021 on the file of the first respondent-Police.

2. It is the case of the prosecution that the second respondent, who is the Village Administrative Officer, lodged a complaint stating that on 31.03.2021 at about 10.15 am., during the Assembly Election, the DMK and ADMK candidates were canvassing in their vehicles. At that time, the petitioners and others allegedly prevented the candidates from canvassing by blocking their vehicles and raising slogans against them. The Police personnel deployed for bandobust were obstructed from discharging their official duties, and hence, the present complaint was lodged by the second respondent-de facto complainant.

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

3.1. The first respondent-Police registered a case under Sections 143, 341, 153 and 353 of the Indian Penal Code, 1860 against the petitioners with regard to the incident which is said to have happened on 31.03.2021.

3.2. The maximum punishment prescribed for the aforesaid



Crl.O.P.No.33905 of 2025

offences are tabulated hereunder:

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Sections	Punishment
143 IPC	Imprisonment may extend to six months, or with fine, or with both
341 IPC	Imprisonment may extend to one month or with fine which may extend to Rs.500/- or with both
153 IPC	Imprisonment may extend to one year, or with fine, or with both
353 IPC	Imprisonment may extend to two years or with fine, or with both

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

3.4. 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.

4. The learned Government Advocate (Crl.Side) appearing on behalf of the first respondent-Police submits that the investigation has been



Cr.L.O.P.No.33905 of 2025

completed and the final report has been filed through e-filing on 09.12.2025.

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5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. For the punishments set out in paragraph 3.2. 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 years and therefore, cognizance cannot be taken. In such circumstances, this Court finds that continuation of further proceedings against the petitioners is nothing but an abuse of process of law.

7. Accordingly, the proceedings in Cr.No.135 of 2021 on the file of the first respondent-Police stands quashed and this criminal original petition is allowed.

12.12.2025

Neutral Citation: Yes/No
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CrI.O.P.No.33905 of 2025

To

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1. The Inspector of Police,
Omerabad Police Station,
Thirupathur District.
2. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.33905 of 2025

A.D.JAGADISH CHANDIRA, J.

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***Crl.O.P.No.33905 of 2025
and Crl.M.P.No.23683 of 2025***

12.12.2025