



CrI.O.P.(MD). No.22174 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2025

CORAM:

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

CrI.O.P.(MD). No.22174 of 2025

and

CrI.M.P.(MD).No.19106 of 2025

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... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Puthanatham Police Station,
Trichy District.

(Crime No.20 of 2020)

2. Gopalakrishnan

... Respondents

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 the First Information Report in Crime No.20 of 2020 and quash the same as illegal in so far as the petitioner herein is concerned.



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For Petitioner : Mr.A.Sheik Nasurdeen
For R1 : Mr.K.M.D.Muhilan
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed seeking to quash the First Information Report against the petitioners in Crime No.20 of 2020, on the file of the first respondent Police.

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

2.1. The case in Crime No.20 of 2020 was registered on 24.02.2020 against the petitioner and 1,018 others for offences under Sections 143, 341, 283, 153A(1)(b) and 505(1)(b) of IPC. It is alleged that the petitioner along with other accused, without obtaining prior permission, unlawfully assembled and protested against the enactment of Citizenship Amendment Act, Nations Register of Citizens and NPR besides delivering speeches and causing disturbance to the public tranquility and enmity between two groups.

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



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
283 IPC	Fine which may extend to two hundred rupees.
153A(1)(b) IPC	Imprisonment may extend to three years or with fine which may extend to Rs.500/- or with both
505(1)(b) IPC	Imprisonment may extend to three years or with fine which may extend to Rs.500/- 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 the FIR, as mandated under Section 468 Cr.P.C. Therefore, there is a clear bar for taking cognizance if the final report is filed beyond three years.

2.4. Since the final report has not been 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 the same is liable to be quashed.



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3. Learned Additional Public Prosecutor appearing for the respondent police submitted that the Government of Tamil Nadu, vide G.O. (Ms) No.368, dated 04.09.2021, Home (Courts-IV) Department, had withdrawn several cases registered against the protestors who had agitated against the Agricultural Amendment Laws, NRC, CAA, etc. In view of the said Government Order, a communication bearing ந.க.எண்.205/கா.து.க/ம.உ./தி.மா/2024 dated 28.03.2024 was sent by the Deputy Superintendent of Police, Manaparai Division, to the Superintendent of Police, Trichy, seeking recommendation for withdrawal of the present case under the aforesaid Government Order.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court is of the view that, 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 First Information Report, as per Section 468(1)(2)(c) of Cr.P.C. However, in the instant case, the final report has not been filed till date. Further, the case was also recommended for withdrawal as per G.O. (Ms) No.368, *supra*.



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5. 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.

6. Accordingly, this Criminal Original Petition stands allowed and the First Information Report pending against the accused in Crime No.20 of 2020, on the file of the first respondent Police, is hereby quashed in entirety. Consequently, the connected miscellaneous petition is also closed.

11.12.2025

Neutral Citation: Yes/No
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To

1. The Inspector of Police,
Puthanatham Police Station,
Trichy District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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***Crl.O.P.(MD). No.22174 of 2025
and Crl.M.P.(MD).No.19106 of 2025***

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