



WEB COPY

CRL OP No. 34743 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 34743 of 2025

and

CRL MP.No.24359 of 2025

Rajesh

Petitioner

Vs

1. The State rep by
The Inspector of Police
Mamallapuram Police Station,
Chengalpattu District.
Crime No.33 of 2021

2.Natarajan

Respondents

Prayer: Criminal Original Petition filed under section 528 of BNSS to call for records from the 1st respondent police in Crime No.33 of 2021 and to quash the same.

For Petitioner: Mr.R.Thirumoorthy

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



ORDER

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This Criminal Original Petition has been filed seeking quashment of FIR in Crime No.33 of 2021 dated 25.01.2021 for the offences under sections 279 and 337 of the IPC on the file of the respondent police.

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

2.1. The case in Crime No.33 of 2021 was registered on 25.01.2021 against the petitioner for the offences under Sections 279 and 337 of IPC, alleging that on 25.01.2021, the petitioner drove a two-wheeler in a rash and negligent manner and collided with a bus, as a result of which the pillion rider sustained injuries.

2.2. The maximum punishment prescribed for the offence under Section 279 IPC may extend to six months imprisonment or a fine up to Rs.1,000/- or both and for the offence under Section 337 IPC, the punishment may extend to six months imprisonment or a fine up to Rs.500/- or both. Hence, the investigation ought to have been completed and the final report filed within one year from the date of registration of the FIR, as mandated under Section 468 Cr.P.C. Therefore, there is a bar for taking cognizance if it is filed beyond



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2.3. Since the final report has not been filed so far, the learned Magistrate is barred from taking cognizance. Hence, the continuation of the proceedings against the petitioner is an abuse of process of law and hence, the proceedings is liable to be quashed.

3. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the charge sheet has not been filed so far. He fairly admitted that there is a delay.

4. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court finds that the case was registered for the offences under Sections 279 and 337 of IPC and that for the said offences, the charge sheet ought to have been filed within one year from the date of registration of the FIR as mandated under Section 468(1)(2)(b) of Cr.P.C. However, the final report has not been filed till date and therefore, cognizance cannot be taken.

5. In view of the above, this Court is of the opinion that no useful purpose would be served by keeping the proceedings pending. Accordingly, the



Criminal Original Petition stands allowed and the proceedings pending against the petitioner in Crime No.33 of 2021, on the file of the first respondent Police, are hereby quashed. Consequently, the connected miscellaneous petition is closed.

19-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
shl

To

1. The Inspector of Police
Mamallapuram Police Station,
Chengalpattu District.

2. The Public Prosecutor
High Court of Madras



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A.D.JAGADISH CHANDIRA J.

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