



Crl.O.P.(MD)No.1602 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.1602 of 2024

and

Crl.M.P.(MD).Nos.1125 and 1127 of 2024

Balaguru

... Petitioner/Accused No.1

Vs.

1.The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.
(Crime No.26 of 2010)

... 1st Respondent/Complainant

2.Velmurugan

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.186 of 2016 on the file of Judicial Magistrate No.II, Ramanathapuram and quash the same as far as the petitioner is concerned.

For Petitioner : Mr.R.Velmurugan

For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

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The petitioner seeks for quashing of the final report in C.C.No.186 of 2016 filed for the offences under Section 465, 468, 471, 420, 120(b) read with Section 34 of IPC.

2. The allegation in the final report is that the petitioner along with the other accused had forged a Will purported to have been executed by one Kuppammal and consequently, gained wrongfully and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the FIR was registered in the year 2010 and the impugned final report was filed in the year 2016; that therefore, the prosecution suffers from extraordinary delay and is barred by limitation; that the allegations in the impugned final report are false; and that there are circumstances to establish that it was a genuine Will.

4. Heard the learned Additional Public Prosecutor appearing for the first respondent.

5. The offences against which the petitioner was charged are under Section 465, 468, 471, 420, 120(b) read with Section 34 of IPC. There is no



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limitation prescribed for the aforesaid offences as the maximum sentence that can be imposed for the above offences is more than three years. Therefore, the ground of limitation could not be available to the petitioner. The delay in prosecution cannot be a ground by itself to quash the impugned final report. The other points raised by the petitioner are factual in nature. Therefore, this Court is of the view that the impugned final report cannot be quashed on the grounds raised by the petitioner. The petitioner has to agitate all the grounds only before the Trial Court. Hence, this Court is not inclined to quash the final report.

6. Accordingly, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all the grounds before the Trial Court. Since the FIR is of the year 2010 and the final report is of the year 2016, the learned Magistrate may conclude the proceedings as expeditiously as possible. Consequently, connected miscellaneous petitions are closed.

04.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm



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To

- 1.The Judicial Magistrate No.II,
Ramanathapuram.
- 2.The Inspector of Police,
District Crime Branch,
Ramanathapuram,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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