



Crl.O.P.(MD)No.3185 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.3185 of 2024
and Crl.M.P.(MD)No.2538 of 2024

1.Pannerselvam

2.Dhanapal

... Petitioners/Accused 1 & 2

Vs.

1.State rep. by,
The Inspector of Police,
Manapparai Police Station,
Trichy District.
In Crime No.44 of 2019

... 1st Respondent/Complainant

2.Chandrasekar

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the S.T.C.No.1059 of 2023 on the file of the learned Judicial Magistrate Court, Manapparai, Trichy District and quash the proceedings as against the petitioners herein.

For Petitioners	: Mr.S.Sathyachidambaram
For R-1	: Mr.R.Meenakshi Sundaram
	Additional Public Prosecutor
For R-2	: Mr.G.Gabrial Raj



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ORDER

WEB COPY This Criminal Original Petition is filed to quash the impugned final report in S.T.C.No.1059 of 2023 on the file of the learned Judicial Magistrate, Manapparai, Trichy District, which was filed for the offences under Section 448, 323, 294(b) and 506(1) of IPC.

2. The gist of the allegations in the final report is that on 31.12.2018 at about 6.00 PM, the petitioners along with another accused had trespassed into the property belonging to the defacto complainant; that they had attacked the defacto complainant with hands and abused him in filthy language besides committing the offence of criminal intimidation.

3. The learned counsel for the petitioners would submit that the alleged occurrence is said to have taken place in the year 2018 due to monetary dispute; that the impugned prosecution is false; that in any case, the allegations would suggest that slight harm was caused; that the impugned final report is barred by limitation and liable to be quashed.



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4. The learned Additional Public Prosecutor would fairly submit that the FIR was registered on 01.02.2019; that the impugned final report was filed only on 19.07.2023; and that no petition was filed to condone the delay in filing of the final report.

5. The learned counsel for the second respondent would confirm that there is no condone delay petition filed by the prosecution and however would oppose the prayer for quashing of the final report. He would further submit that justice should not suffer merely because the first respondent has not filed the final report on time.

6. As stated earlier, the alleged occurrence took place due to a monetary dispute. The alleged occurrence is said to have taken place on 31.12.2018 and the FIR was registered nearly one month thereafter on 01.02.2019. The offences alleged in the final report are under Sections 448, 323, 294(b) and 506(1) of IPC, which are punishable with maximum sentence as follows:



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Offence	Punishment
Section 448 IPC	One year imprisonment
Section 323 IPC	One year imprisonment
Section 294(b) IPC	Three months imprisonment
Section 506(1) IPC	Two years imprisonment

Under Section 468(2) of Cr.P.C, the first respondent ought to have filed the final report within a period of three years from the date of registration of FIR. However, the first respondent had filed the final report only on 19.07.2023 beyond the period of limitation prescribed. They have no justifiable reason for the delay and admittedly, no petition was filed for condonation of delay. Hence, the impugned prosecution is barred by limitation.

7. It is no doubt true that the procedural delays caused by the prosecution must not block the course of justice. However, in this case, considering the fact that the alleged occurrence had taken place in the year 2018, the fact that the petitioners and the defacto complainant had civil disputes and are known to each other and the fact that the harm caused to the defacto complainant is slight, this Court is of the view that serious prejudice would be caused to the petitioners if the impugned prosecution is allowed to continue. This is more so because the prosecution has not explained the reason for the delay and in fact



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had not filed any petition explaining the delay. The petitioners cannot be made to await the result of the investigation endlessly. In fact the provisions relating to limitation have been incorporated only with the said avowed objective. Hence, this Court is inclined to quash the impugned final report as barred by limitation.

8. Accordingly, the impugned final report in S.T.C.No.1059 of 2023 on the file of the learned Judicial Magistrate, Manapparai, Trichy District is quashed in entirety and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

21.11.2025

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



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SUNDER MOHAN, J.

Lm

To

- 1.The Judicial Magistrate Court,
Manapparai,
Trichy District.
- 2.The Inspector of Police,
Manapparai Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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