



Crl.O.P.(MD)No.8380 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.8380 of 2024

and

Crl.MP.(MD).No.5714 of 2024

1.Tamil Mani @ Aboorvan

2.R.Prasana

3.M.Surya @ Surya Kumar

4.C.Vivek @ Balavivek

5.C.Arulenthil @ Arunkumar

... Petitioners/Accused 1, 2 & 4 to 6

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Solavandhan Police Station,
Madurai District.
(Crime No.283/2015)

... 1st Respondent/Complainant

2.B.Saravana Kumar

... 2nd Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the impugned First Information Report in Crime No.283 of 2015 U/s. 147, 109, 341, 294(b), 323 and 506(i) of IPC dated 20.09.2015 on the file of the respondent no.1 and quash the same as illegal.



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For Petitioners : Mr.K.Dinesh
For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed to quash the impugned FIR in Crime No.283 of 2015 registered for the offences under Section 147, 109, 341, 294(b), 323 and 506(i) of IPC.

2. The gist of the allegations in the FIR is that on account of prior enmity, the petitioners along with others waylaid the defacto complainant; that they had abused the defacto complainant in filthy language; and that they had attacked him with hands besides committing the offence of criminal intimidation.

3. The learned counsel for the petitioners would submit that the impugned FIR was registered on 20.09.2015; that the final report ought to have been filed within three years from the date of occurrence; and that the first respondent has so far not filed the final report.



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4. The learned Government Advocate (Crl. Side) fairly submitted that the investigation was pending for 10 years; that the final report was filed before the learned Judicial Magistrate, Vadipatti on 09.07.2025; and that the first respondent has not filed any condone delay petition. He would further fairly submit that there is no justifiable reason for the delay in filing the final report.

5. Notice sent to the second respondent could not be served. The learned Government Advocate, on instructions, would submit that the defacto complainant is no more and produced a copy of the death certificate, which states that the defacto complainant died on 14.04.2017.

6. The offences alleged against the petitioners and the maximum punishment prescribed for those offences are as follows:

<i>Offence</i>	<i>Punishment</i>
147 IPC	2 years
341 IPC	1 month
294(b) IPC	3 months
323 IPC	1 year
506(1) IPC	2 years

As per Section 468(2)(c) of Cr.P.C., the final report ought to have been filed within a period of three years from the date of registration of FIR. The final report was filed on 09.07.2025, which is yet to be taken on file. The first



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respondent has no justifiable reason for the delay and also not sought for any condonation of delay.

7. Considering the above facts, this Court is of the view that no useful purpose would be served in keeping the impugned FIR and the consequential final report pending as the final report, which is filed, is also barred by limitation. Hence, the impugned FIR in Crime No.283 of 2015 and the consequential final report filed before the learned Judicial Magistrate, Vadipatti are quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

31.10.2025

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

To

- 1.The Inspector of Police,
Solavandhan Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Copy to:

The Judicial Magistrate Court,
Vadipatti.



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SUNDER MOHAN, J.

Lm

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