



**CRL OP(MD). No.10170 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Dated : 07.11.2025**

**CORAM**

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

**CRL OP(MD). No.10170 of 2025**

**and**

**CrI.MP(MD)No.7549 of 2025**

Neduncheliyan,

... Petitioner

**Vs.**

1. State of Tamilnadu Rep by  
Inspector of Police, Dindigul Taluk,  
Dindigul Taluk Police Station,  
Dindigul District.  
Crime No. 97/2021.

2. Subiramani,

... Respondents

**PRAYER :-** This Petition is filed under Section 528 BNSS, to call for the records in respect of Crime No. 97 of 2021 on the file of the 1<sup>st</sup> respondent and quash the same.

For Petitioner : Mr.Aravindan. C,

For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (CrI.Side)

**ORDER**

This Petition is filed to quash the impugned F.I.R registered for the offences under Sections 341, 143, 269 I.P.C and Section 4 (1) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959.

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2. The allegation in the F.I.R is that the petitioner, who belong to a political party, during COVID.-19 period, had erected the flag posts in violation of the orders passed, without observing social distance and without wearing masks and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the alleged occurrence took place on 11.02.2021; that the maximum sentence that can be imposed for the offence under Sections 143 and 269 I.P.C is six months imprisonment; that the final report ought to have been filed within one year; and that the final report has not been filed so far and even if the final report is now filed, it is barred by limitation.

4. The learned Government Advocate (Crl.Side) would submit that the investigation was completed and the final report was filed before the Judicial Magistrate No.I, Dindigul in May 2025, which was numbered in S.T.C.No.667 of 2025 for the offences under Sections 341, 143, 269 I.P.C and Section 4 (1) of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. He would fairly submit that



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no petition was filed to condone the delay and there is no reason for the delay.

5. The alleged occurrence took place on 11.02.2021. The impugned FIR was filed in May 2025. The petitioners were accused of the following offences and the maximum sentence that can be imposed are as follows:

| <i>S.No</i> | <i>Offences Alleged</i>                                       | <i>Maximum Imprisonment</i>                                    |
|-------------|---------------------------------------------------------------|----------------------------------------------------------------|
| <i>1</i>    | <i>341 IPC</i>                                                | <i>One month imprisonment or fine upto Rs.500/- or both</i>    |
| <i>2</i>    | <i>143 IPC</i>                                                | <i>six months imprisonment</i>                                 |
| <i>3</i>    | <i>269 IPC</i>                                                | <i>Six months imprisonment or a fine or both</i>               |
| <i>4</i>    | <i>4(1) TN Open Places (Prevention and Disfigurement) Act</i> | <i>Three months imprisonment or fine upto Rs.200/- or both</i> |

Thus, the maximum sentence that can be imposed on the petitioners for the offences alleged is six months imprisonment. The first respondent ought to have filed the final report within a period of one year. Admittedly, they have filed the final report after four years and three



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months. The first respondent has no justifiable reason for the delay. They have not filed any petition to condone the delay.

6. Hence, this Court is of the view that the impugned F.I.R, which culminated in the final report in S.T.C.No.667 of 2025 on the file of the Judicial Magistrate No.I, Dindigul, are liable to be quashed and accordingly, quashed.

7. This Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

**07.11.2025**

LS /ars

TO

1. The Judicial Magistrate No.I,  
Dindigul.

2.The Inspector of Police,  
Dindigul Taluk,  
Dindigul Taluk Police Station,  
Dindigul District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**SUNDER MOHAN,J**

LS/ars

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