



CRL OP(MD). No.10674 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 07/11/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.10674 of 2025

and

CRL MP(MD) Nos. 8011 & 10674 of 2025

S.Janardhanan

... Petitioner

Vs

1. The State of Tamil Nadu,
Rep by the Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
(Crime No.131 of 2024).

2. S.Sithick,
Sub Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS,
to call for the records pertaining to the Impugned C.C.No.24 of 2024 on
the file of the Additional District Munsif - Cum - Judicial Magistrate,
Vedasandur and quash the same.



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For Petitioner : Mr.I.Pinaygash,
Advocate.

For R1 & R2 : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to quash impugned final report C.C.No.24 of 2024 on the file of the Additional District Munsif - Cum - Judicial Magistrate, Veda sandur, which was filed for the offences under Sections 201, 170, 417 and 419 of IPC.

2.The allegation in the final report is that on 23.06.2020, during the lock down period due to COVID-19, the petitioner was travelling in a lorry and that when intercepted, he had produced a card claiming himself to be a member of the Special Protection Group (SPG).

3.The learned counsel for the petitioner would submit that the impugned prosecution is barred by limitation as the alleged occurrence is said to have taken place on 23.06.2020 and the final report was filed only on 08.04.2024; that no petition was filed to condone the delay and that



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there is no justifiable reason for the delay in filing of the final report. He would further submit that the petitioner in fact was originally working in the Border Security Force (BSF) and served the Special Protection Group (SPG) between 1995 and 2003 and that the act of the petitioner has only caused slight harm.

4.The learned Additional Public Prosecutor appearing for the respondent police would fairly submit that the final report was filed only on 08.04.2024; that no petition was filed to condone the delay in filing the final report and that there was no justifiable reason for the delay.

5.The offences, for which the petitioner was charged, as stated earlier, are under Sections 201, 170, 417 and 419 of IPC. The maximum sentence provided for the offences under Section 170 of IPC is two years imprisonment, for Section 417 of IPC is one year imprisonment, for Section 419 of IPC is three years imprisonment and for the offence under Section 201 of IPC, since the offence is punishable with less than 10 years imprisonment, the maximum sentence would be 1/4 of the longest term of imprisonment. Therefore, the maximum sentence that can be



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imposed on the petitioner is three years imprisonment and the respondent police ought to have filed the final report within a period of three years in terms of Section 468(2)(b) of Cr.P.C. However, admittedly, the respondent police had filed the final report after the period of three years. Since there was no justifiable reason for the delay in the filing of the final report, this Court is of the view that the impugned prosecution is barred by limitation and in any case, the harm caused due to the alleged offences committed by the petitioner is slight.

6.For all the reasons, this Criminal Original Petition is allowed and the impugned final report in C.C.No.24 of 2024 on the file of the learned Additional District Munsif - Cum - Judicial Magistrate, Vendasandur, is quashed. Consequently, connected miscellaneous petitions are closed.

07.11.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
cp



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TO

1.The Additional District Munsif-cum-Judicial Magistrate,
Vedasandur.

2.The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
(Crime No.131 of 2024).

3.The Sub Inspector of Police,
Vadamadurai Police Station,
Dindigul District.

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



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SUNDER MOHAN,J

CP

ORDER
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