



Crl.O.P.(MD)No.15259of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15259 of 2025

and

CRL MP(MD)No.12399 of 2025

Mohammed Al Javith

... Petitioner / Sole Accused

-Vs-

1.The State of Tamilnadu, Rep.,
By the Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.188 of 2018).

... 1st Respondent / Complainant

2. Sivasamy

... 2nd Respondent / Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., To call for the records pertaining to in Crime No.188 of 2018, dated 11.07.2018 on the file of the 1st respondent Police and quash the same in so far as the petitioner is concerned.

For Petitioners : Mr.K.Yasar Arafath
Advocate.

For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

For R2 : No Appearance



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ORDER

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The petitioner seeks to quash the FIR in Crime No.188 of 2018, dated 11.07.2018 on the file of the 1st respondent Police, registered for the offences punishable under Sections 279 and 337 of IPC.

2. The gist of the allegation in the impugned FIR is that an accident took place on 10.07.2018 at about 8.00 PM as the petitioner rode the two wheeler bearing registration No.TN 65 J 8770 in a rash and negligent manner and caused injuries to the defacto complainant and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the offence made against the petitioner is punishable with a maximum sentence of six months imprisonment; that the first respondent ought to have filed the final report within a period of one year; and that since no final report has been filed so far, the impugned FIR is liable to be quashed.

4. The learned Additional Public Prosecutor would fairly submit that the final report was filed on 13.10.2025 and there is no justifiable reason for the



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delay in filing the final report.

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5. Though notice has been served to the second respondent, none has entered appearance.

6. The offences allegedly committed by the petitioner are Sections 279 and 337 IPC. The maximum sentence provided for those two offences is six months imprisonment. As per section 468(2)(b) of Cr.P.C, the first respondent ought to have filed the final report within a period of one year. He had filed the final report only on 13.10.2025, which is barred by limitation. There is no justifiable reason for filing the final report after seven years. Hence, this Court is inclined to quash the impugned FIR and the consequential final report filed by the first respondent. Since the impugned FIR is quashed on the ground of limitation, it is made clear that quashing of the proceedings would have no bearing in any claim for compensation made by the defacto complainant against the petitioner and his insurer.

7. With the above observations, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.



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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Indu/dk

To

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



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SUNDER MOHAN, J.

Indu

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