



Crl.O.P.(MD) No.15008 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 31.10.2025

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD) No.15008 of 2025

and

CrI.M.P.(MD) No.12186 of 2025

1.Andichamy

2.Maniannan @ Mani

3.Kosimin

... Petitioners/A1 to A3

Vs.

1.The State of Tamilnadu rep. by,
The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
(Crime No.08 of 2023)

2.Manickavasagam

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, 1973/Section 528 of Bharathiya Nagarik Suraksha Sanhita, 2023, to call for the records pertaining to the Charge Sheet in S.T.C.No.140 of 2025 for an alleged offence under Section 3 of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959, on the file of the learned Judicial Magistrate, Peraiyur, Madurai District, and quash the same as illegal against the petitioner.



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Crl.O.P.(MD) No.15008 of 2025

For Petitioners : Mr.M.Maran

For Respondents : Mr.R.Meenakshi Sundaram (for R1)
Additional Public Prosecutor

ORDER

The petitioners seek to quash the impugned Charge Sheet in S.T.C.No.140 of 2025 on the file of the learned Judicial Magistrate, Peraiyur, Madurai District, which was filed for the offences under Section 3 of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959.

2.The gist of the allegation is that the petitioners had erected a hoarding criticizing the act of the Hon'ble Governor and also urging the Central Government to remove the Hon'ble Governor and thus, committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the offence alleged against the petitioner is punishable with a maximum sentence of imprisonment of one year; that the respondents ought to have filed the final report within a period of one year from the date of registration of the FIR; that the impugned final report was filed only on



Crl.O.P.(MD) No.15008 of 2025

16.06.2025, which is beyond the period of limitation; and that no petition was filed to condone the delay and hence, the impugned prosecution is barred by limitation.

4.The learned Additional Public Prosecutor would submit that the final report was filed through e-filing on 01.12.2023 and that therefore the final report is on time and sought for dismissal of the petition.

5.The petitioner has produced the case details, which was taken from the e-court services. It is seen from the said document that the filing date is shown as 16.06.2025. Though the respondent Police claim that the final report was filed through e-filing on 2023, they are unable to produce any document to substantiate the same. It is also seen that the trial Court had taken cognizance of the offence only on 26.06.2025. It is also admitted that no petition was filed to condone the delay in filing the final report.

6.The petitioner has been charged for the offence under Section 3 of Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. The maximum sentence that can be imposed on the petitioner is imprisonment



Crl.O.P.(MD) No.15008 of 2025

of one year. The first respondent under Section 468(2)(b) of Cr.P.C., ought to have filed the final report within one year. However, as stated earlier, the records suggests that the final report was filed only on 16.06.2025. The order of cognizance taken by the Magistrate also does not suggest that there is any petition filed to condone delay. Hence, this Court is of the view that the impugned final report is barred by limitation and is liable to be quashed.

7. Accordingly, the impugned Charge sheet in S.T.C.No.140 of 2025 on the file of the learned Judicial Magistrate, Peraiyur, Madurai District, is quashed and this Criminal Original Petition is allowed. Consequently, the connected Criminal Miscellaneous Petition is closed.

31.10.2025

vsg

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order/Non-Speaking Order



Crl.O.P.(MD) No.15008 of 2025

WEB COPY To:

- 1.The learned Judicial Magistrate,
Peraiyur, Madurai District.
- 2.The Inspector of Police,
T.Kallupatti Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.15008 of 2025

SUNDER MOHAN, J.

vsg

Crl.O.P.(MD) No.15008 of 2025
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Crl.M.P.(MD) No.12186 of 2025

31.10.2025