



Crl.O.P.(MD)No.17985 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.17985 of 2025

and

Crl.MP(MD).No.14771 of 2025

GP Raja

... Petitioner / Sole Accused

Vs.

1.The State of Tamil Nadu,
Throuth its Inspector of Police,
Koodalpudur Police Station,
Madurai City.
Crime No.122/2017.

2.Kasi,
Sub-Inspector of Police,
Koodal Pudur Police Station,
Madurai City.

... Respondents / Complainants

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the entire records to the FIR in Crime No.122 of 2017 on the file of the 1st respondent police and quash the same as illegal.

For Petitioner : Mr.K.Rajeshwaran,

For R1 : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)



Crl.O.P.(MD)No.17985 of 2025

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ORDER

This petition has been filed to quash the impugned FIR in Crime No.122 of 2017 on the file of the first respondent, registered for the offence punishable under Section 4(1) of TN Open Places (Prevention of Disfigurement) Act, 1959.

2. The allegation in the impugned FIR is that the petitioner, without obtaining permission, had erected a banner in a public place and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that though the FIR was registered in the year 2017, the respondents have not filed the final report so far; that the punishment prescribed for the offence under Section 4(1) of TN Open Places (Prevention of Disfigurement) Act is three months; that the respondents ought to have filed the final report within a period of one year; that the final report, even if allowed to be filed now, it would be barred by limitation and hence the impugned FIR may be quashed.



Crl.O.P.(MD)No.17985 of 2025

WEB COPY

4. The learned Government Advocate (Crl.Side) would fairly submit that the investigation has not been completed; and that there is no justifiable reason for the delay in filing of the final report. He would further submit that no other offence has been made out on the allegation made in the FIR.

5. The petitioner is alleged to have committed the offence under Section 4(1) of TN Open Places (Prevention of Disfigurement) Act. The punishment prescribed for the said offence is three months imprisonment with fine of Rs. 200/-. As per Section 468(2)(b) of Cr.P.C., the respondents ought to have filed the final report within a period of one year.

6. Admittedly, the respondents have not filed the final report so far. There is no justifiable reason for the delay in filing the final report. No other offence is made out as against the petitioner. Even if the final report is now permitted to be filed, it would be barred by limitation. This Court is of the view that no useful purpose would be served in keeping the FIR pending investigation. Hence, the impugned FIR in Crime No.122 of 2017 on the file of the first respondent is quashed.



Crl.O.P.(MD)No.17985 of 2025

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7. In the result, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

23.10.2025

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

Indu/ars

To

1. Inspector of Police,
Koodalpudur Police Station,
Madurai City.
2. The Sub Inspector of Police,
Koodal Pudur Police Station,
Madurai City.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.17985 of 2025

SUNDER MOHAN, J.

Indu/ars

Crl.O.P(MD).No.17985 of 2025

23.10.2025