



CRL OP(MD). No.17571 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17571 of 2025

and

Crl.M.P(MD) Nos.14314 and 14316 of 2025

Vijayakumar

... Petitioner

Vs

1.The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
Madurai District.
Crime No.248/2016.

2. Sekar,
S/o.Perumal

... Respondents

PRAYER :- Criminal Original Petition is filed under Section 528 of BNSS, to call for entire records in STC No.1159 of 2023 pending on the file of learned Judicial Magistrate, Thirumangalam, Madurai Distirct and quash the charge sheet.

For Petitioner : M/s.S.Veera Santhi,
Advocate.

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



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CRL OP(MD), No.17571 of 2025

ORDER

This Criminal Original Petition is filed seeking to quash the charge sheet in STC No.1159 of 2023 pending on the file of learned Judicial Magistrate, Thirumangalam, Madurai Distirct, which was filed for the offences under Sections 279 and 337 of IPC.

2.It is the case of the prosecution that the petitioner herein is a Government bus driver; that he had driven a bus in a rash and negligent manner and dashed against a lorry belonging to the defacto complainant, which was parked on the road and thus, caused injury to the driver of the lorry and also damaged the lorry.

3.The learned counsel for the petitioner would submit that though the alleged occurrence took place on 02.09.2016, the final report was filed only on 16.05.2023; that the impugned final report is barred by limitation and therefore, the same is liable to be quashed.



CRL OP(MD), No.17571 of 2025

WEB COPY

4.The Additional Public Prosecutor appearing for the respondent police would submit that the final report was filed on 16.05.2023 and that there is no petition to condone the delay filed by respondent police.

5.The offences alleged against the petitioner are under Sections 279 and 337 of IPC. The maximum sentence provided for the aforesaid offences is six months imprisonment. As per section 468 of Cr.P.C, the respondent ought to have filed the final report within a period of one year. Admittedly, the final report was not filed within that period. The respondent police are unable to produce any document to show that the petition for extension of period of limitation was filed before the learned Magistrate under Section 473 Cr.P.C. They are also unable to furnish any justifiable reason for the delay in filing of the final report. Therefore, this Court is of the view that the impugned prosecution is barred by limitation and its continuation would be a futile exercise.

6.Accordingly, the impugned charge sheet in STC No.1159 of 2023, on the file of learned Judicial Magistrate, Thirumangalam, Madurai



CRL OP(MD). No.17571 of 2025

Distict is quashed and this Criminal Original Petition is allowed.

Consequently, connected miscellaneous petitions are closed.

24.10.2025

CP

TO

- 1.The Judicial Magistrate,
Thirumangalam, Madurai Distirct.
- 2.The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD), No.17571 of 2025

SUNDER MOHAN,J

CP

ORDER
IN
CRL OP(MD) No.17571 of 2025

Date : 24/10/2025