



Crl.O.P.(MD)No.19124 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19124 of 2025

Karthikeyan Raja @ Karthikeya Raja

... Petitioner/Accused No.1

Vs.

**1.The State of Tamil Nadu, rep. by,
The Inspector of Police,
S.S.Colony Police Station,
Madurai.
(Crime No.1467 of 2022)**

...1st Respondent/Complainant

**2.M.Perarasi,
Sub-Inspector of Police,
S.S.Colony Police Station,
Madurai.**

**...2nd Respondent/Defacto
Complainant**

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records in respect of Crime No.1467 of 2022 on the file of the Respondent, and quash the same.

For Petitioners : Mr.B.Senthilkumar

**For Respondents : Mr.K.Sanjai Gandhi
Government Advocate
(Criminal Side)**



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ORDER

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The petitioner seeks to quash the FIR Crime No.1467 of 2022 pending on the file of the Respondent Police, registered for the offences punishable under Section 12 of Tamil Nadu Gaming and Police Laws Act, 1930 (Amendment 2021).

2. The gist of the allegations in the impugned FIR is that the petitioner and others had indulged in gaming with playing cards and causing nuisance to the general public and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the impugned FIR was lodged on 13.08.2022 for the alleged occurrence took place on 12.08.2022; that however, the respondents have not filed the final report so far; that the copy application for obtaining the FIR copy was also returned by the Court; that the maximum sentence that can be imposed for the offence under Section 12 of TN Gaming and Police Laws Act, 1930, is three months imprisonment; that even if the final report is now permitted to be filed, it would be barred by limitation and hence, the impugned FIR may be quashed.



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4. The learned Government Advocate (Crl.Side), per contra, would submit that pursuant to the investigation in Crime No.1467 of 2022, the final report was filed before the concerned Court on 18.11.2024, which is yet to be taken on file. He would fairly submit that no petition to condone the delay has been filed by the respondents and there is no justifiable reason for the delay.

5. The offence alleged against the petitioner is under Section 12 of Tamil Nadu Gaming and Police Laws Act. The maximum sentence that can be imposed for the said offence is three months imprisonment. Therefore, the respondents ought to have filed the final report within a period of one year.

6. Admittedly, the final report was filed only in November 2024, which is yet to be taken on file so far. There is no petition filed to condone the delay. There is no justifiable reason for the delay in filing the final report. Hence even if the final report is now taken on file, it would be barred by limitation.

7. It is also seen that the petitioner has no bad antecedents. For all these reasons, this Court is inclined to quash the Final Report filed pursuant to the investigation in the impugned FIR.



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8. Considering the aforesaid facts, the impugned FIR and the consequential final report are liable to be quashed and accordingly quashed.

03.11.2025

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

Indu/dk

To

- 1.The learned Judicial Magistrate V, Madurai.
- 2.The Inspector of Police,
S.S.Colony Police Station,
Madurai.
- 3.The Sub-Inspector of Police,
S.S.Colony Police Station,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu/dk

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