



Crl.O.P.(MD)No.19253 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.19253 of 2025

P.Chandramohan

... Petitioner/1st Accused

Vs.

1.The State of Tamil Nadu,
Rep. by the Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.1468 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 filed under Section 528 of BNSS, 2023, to call for records in respect of Crime No.1468 of 2022 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.B.Senthilkumar

For R-1 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.19253 of 2025

ORDER

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This Criminal Original Petition is filed to quash the impugned FIR in Crime No.1468 of 2022 on the file of the first respondent, which was registered for the offences under Section 12 of the Tamil Nadu Gaming and Police Laws Act, 1930 (Amendment 2021).

2. The allegation in the FIR is that the petitioner along with another accused were found gaming with cards in a public place causing nuisance to general public and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the maximum sentence for the offence under Section 12 of the Tamil Nadu Gaming Act is three months; that though the alleged occurrence took place on 12.08.2022, the first respondent has not filed the final report so far; and that any final report now filed would also be barred by limitation.

4. The learned Government Advocate (Crl. Side) per contra submitted that the investigation in the impugned FIR was completed and final report was filed before the learned Judicial Magistrate V, Madurai on 18.11.2024, which is yet to be taken on file. He would further fairly submit that no condone delay



Crl.O.P.(MD)No.19253 of 2025

petition was filed by the first respondent and there is no justifiable reason for the delay.

5. Since the alleged occurrence took place on 12.08.2022 and the offence, for which the petitioner has been charged, is under Section 12 of the Gaming Act, for which, the maximum sentence is three months imprisonment, the first respondent ought to have filed the final report within a period of one year from the date of registration of FIR. It is the case of the first respondent that the final report was filed only on 18.11.2024. There is a delay in filing of the final report. The first respondent has not filed any condone delay petition to explain the delay. There is also no justifiable reason for the delay as fairly submitted by the learned Government Advocate. Hence, this Court is of the view that the impugned FIR in Crime No.1468 of 2022 and the consequential final report are liable to be quashed and accordingly quashed.

6. In the result, the Criminal Original Petition is allowed.

03.11.2025

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



Crl.O.P.(MD)No.19253 of 2025

To

- 1.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
- 2.The Sub Inspector of Police,
S.S.Colony Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Judicial Magistrate Court No.V,
Madurai.



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Crl.O.P.(MD)No.19253 of 2025

SUNDER MOHAN, J.

Lm

Crl.O.P(MD).No.19253 of 2025

03.11.2025