



Crl.O.P.(MD)No.19117 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.19117 of 2025

and

Crl.MP(MD).No.15950 of 2025

J.Vishnu

... Petitioner / Accused Rank 6

Vs.

1.The State of Tamilnadu Rep By,
The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
Crime No.391 of 2024.

... 1st Respondent / Complainant

2.Katturaja,
Special Sub-Inspector of Police,
Thenkarai Police Station,
Periyakuam,
Theni District.

... 2nd Respondent / Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to Crime No.391 of 2024 on the file of the 1st respondent police and quash the same in so far as the petitioner/Accused No.6 concerned.

For Petitioners : Mr.KPS.Palanivel Rajan,



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Senior Counsel for P.Vetrivel,

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

ORDER

The petitioner seeks to quash the FIR in Crime No.391 of 2024 on the file of the 1st respondent Police, registered for the offences punishable under Section 4A(1a) of TN Open Places (Prevention of Disfigurement) Act, 1959.

2. The gist of the allegation in the impugned FIR is that on 05.09.2024 at about 8.00 A.M, the petitioner and others had displayed the posters in connection with the release of a movie without prior permission and thus committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that the maximum sentence prescribed for the offence under Section 4A(1a) of TN Open Places (Prevention of Disfigurement) Act, 1959, is three months imprisonment; that therefore, the respondents ought to have file the final report within a period of one year as per Section 468(2)(b) of the Cr.P.C. and that since the final report has not been filed so far, the impugned FIR is liable to be quashed.



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4. The learned Government Advocate (Crl.Side) would fairly submit that the final report has not been filed and the respondents have no justifiable reason for the delay.

5. Considering the maximum sentence of imprisonment that can be imposed on the petitioner, even if the final report is now allowed to be filed, it would be barred by limitation. Admittedly, the respondents have no justifiable reason for the delay in filing the final report. Therefore, this Court is of the view that no useful purpose would be served in keeping the FIR pending investigation. Accordingly, the impugned FIR in Crime No.391 of 2024 on the file of the respondents Police is quashed.

6. With the above observation, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

03.11.2025

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

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To

- 1.The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.
- 2.The Special Sub Inspector of Police,
Thenkarai Police Station,
Periyakuam,
Theni District..
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Indu/dk

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