



CRL OP(MD). No.19172 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 04.11.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

**CRL OP(MD). No.19172 of 2025
and
CrI.MP(MD)Nos.15988 & 15989 of 2025**

1. Muthukumar,
2. Mahadevan,

... Petitioners

Vs

1. State of Tamilnadu Rep by
Inspector of Police,
Sivagiri Police Station,
Tenkasi District,
Crime No.160/2022.

2. Amirtharaj,

... Respondents

PRAYER :- This Petition is filed under Section 528 BNSS, to call for the records pertaining to the STC No.772/2025 on the file of the learned Additional District Munsif cum Judicial Magistrate Court, Sivagiri in Crime No.160/2022 dated 15.04.2022 on the file of the 1st respondent police, Madurai District.

For Petitioners : Mr.K.Suyambulingabharathi,

For Respondents : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor for R1



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ORDER

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The petition is to filed to quash the impugned final report registered for the offences under Section 12 of Tamil Nadu Gaming Act, 1930.

2. The gist of the allegation is that the petitioners along with others were indulged in gaming with cards and that a sum of Rs.46,970/- was seized from all the accused including the petitioners from the scene of the occurrence.

3. The learned counsel for the petitioners would submit that though the alleged occurrence took place on 15.04.2022, the final report was filed only on 17.07.2025, beyond the period of limitation and that since the maximum sentence that can be imposed for the offence under Section 12 of the Tamil Nadu Gaming Act, is three months imprisonment, the first respondent ought to have filed the final report within a period of one year and hence, the impugned proceedings is liable to be quashed as it is barred by limitation.



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4. The learned Additional Public Prosecutor confirms the fact that the impugned final report was filed on 17.07.2025 and there was no condone delay petition filed by the first respondent and there is no justifiable reason for the delay.

5. The offence under Section 12 of the Tamil Nadu Gaming Act is punishable with three months imprisonment. The first respondent ought to have filed the final report within a period of one year from 15.04.2022. Admittedly, they have filed the final report only on 17.07.2025. Hence, the final report is barred by limitation. They have not filed any petition to condone the delay and there is no justifiable reason for the delay also.

6. Considering the aforesaid facts and the nature of the allegations, this Court is inclined to quash the impugned final report as it is barred by limitation. Accordingly, this Criminal Original Petition is allowed and the impugned final report is hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

04.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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SUNDER MOHAN,J

LS

TO

1. The Additional District Munsif
cum Judicial Magistrate,
Sivagiri.
2. The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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