



Crl.O.P.(MD) No.19501 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.19501 of 2025
and Crl.M.P.(MD) Nos.16348 and 16349 of 2025

Angaraj

... Petitioner/Sole Accused

Vs.

1.State of Tamilnadu,
Represented by the Inspector of Police,
Manur Police Station,
Tirunelveli District.
(Crime No.123 of 2021).

... 1st Respondent/Complainant

2.P.Muthuraja

...2nd Respondent/Defacto
Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code/Section 528 of BNSS, 2023, to call for the records relating to S.T.C.No.4003 of 2022 on the file of the learned Judicial Magistrate No.V, Tirunelveli and quash the same.

For Petitioners : Mr.K.Suyambulingabharathi

For R-1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The petitioners seek to quash the final report in S.T.C.No.4003 of 2022 on the file of the learned Judicial Magistrate No.V, Tirunelveli, which was filed for the offences under Sections 171(E) and 171(F) of IPC.



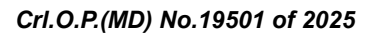
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2. The gist of the allegation in the impugned final report is that the petitioner had carried a sum of Rs.77,000/- in his car bearing registration No.TN 12 AA 2191 after the election notification came into force and thus, committed the aforesaid offences.

3. The learned counsel for the petitioner would submit that an FIR was registered against the petitioner on 10.03.2021 for the offence punishable under Sections 171(E) and 171(F) of IPC, which are non cognizable offences; that the impugned final report has also been filed for non cognizable offences; and that in any case, the final report is also barred by limitation as the final report was filed only on 19.07.2022 and the respondents have not filed any petition to condone the delay.

4. The learned Additional Public Prosecutor confirms the fact that the respondents have not filed any petition to condone the delay in filing of the final report under Section 473 of Cr.P.C.

5. It is seen that the FIR has been registered for the offences under Sections 171(E) and 171(F) of IPC and the said offences are non cognizable. The respondents ought not to have conducted investigation and filed the final report without an order from the learned Magistrate. Admittedly, no such order



6. In any case, the impugned final report is barred by limitation as the two offences are punishable with the maximum sentence of one year imprisonment and the respondents ought to have filed the final report within a period of one year. There is no justifiable reason for the delay and the respondents have not filed any petition to condone the delay. Hence, this Court is inclined to quash the final report in S.T.C.No.4003 of 2022 on the file of the learned Judicial Magistrate No.V, Tirunelveli. Accordingly, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petitions are closed.

10.11.2025

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

Indu/ars



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SUNDER MOHAN, J.

Indu/ars

To

- 1.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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