



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.12.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrI.O.P(MD)No.19401 of 2025
and
CrI.M.P(MD)No.16235 of 2025

Suresh @ Sathyaraj

(Convict Prisoner No.20187)

... Petitioner/Sole Accused

Vs.

1. State of Tamilnadu
Rep by Inspector of Police,
Madukkur Police Station,
Thanjavur District,
(Crime No.334/2022)

...1st Respondent/Complainant

2. R.Raja,
Gr.1 2368,
6th Platoon,
Armed Reserve,
Thanjavur District.

...2nd Respondent/Defacto complainant

PRAYER: Criminal Original Petition has been filed under Section 482 of Cr.P.C./Section 528 of BNSS, to call for the records in connection with the First Information Report in Crime No.334/2022 dated 09.07.2022 on the file of the 1st respondent and quash the same.

For Petitioners : Mr.K.A.S.Prabhu

For Respondents : Mr.B.Thanga Aravindh
Government Advocate(crl.side)
for R1



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ORDER

Seeking the quashment of FIR in Cr.No.334 of 2022, dated 09.07.2022, on the file of the first respondent police, this Criminal Original Petition is filed.

2. When the matter came up for hearing on 11.12.2025 before this Court, Mr.Thanga Aravindh, the learned Government Advocate(criminal side) submitted that this is a fit case to be dismissed at the threshold for the reason that the offences for which the crime is registered as against the petitioner is under Section 224 of IPC. The petitioner is the life convict who was granted one day emergency leave with police escort for attending serious illness of his father during which time he had escaped from the custody of police escort for which FIR in Cr.No.334 of 2022 came to be registered under Section 224 of IPC.

3. Per Contra, the learned counsel for the petitioner submitted that the crime was registered on 09.07.2022. Since the period of more than two years has elapsed, there is a bar due to Section 468(2)(c) of Cr.P.C for the respondent police to file a final report and considering the same already this Court on 10.11.2025 has passed an order of interim stay. However, considering the said order passed by this Court on 11.12.2025, this Court



had extended the interim stay already granted and that case was posted further today for arguments. When the matter came up for a hearing today, the learned Government Advocate(crl.side) submitted that already final report was filed on 16.12.2025 through Dhandapani, Inspector of Police, Madhukar Police station, Thanjavur District.

4. The learned Government Advocate(crl.side) appearing for the first respondent submitted that the investigation was completed as early as on 10.08.2022 by one Durairaj, Inspector of Police. Despite having completed the investigation, he without taking necessary steps to file the final report before the jurisdictional trial court had kept it idle.

5. I have carefully considered the submissions made on either side and perused the materials available on record.

6. There is a legal bar to the respondent police to file a final report in view of the Section 468(2)(c) of Cr.P.C. However, this Court is inclined to issue stricture on Dhandapani, Inspector of Police and Thiru.Durairaj, Inspector of Police. Dhandapani, Inspector of Police for not complying with the order of this Court and violating the order of this Court by filing the final report and Durajraj, Inspector of Police for not filing final report after completion of investigation as early as in the year 2022 itself.



7. The Superintendent of Police, Thanjavur District, is directed to take disciplinary action for the dereliction of duty of both Mr.Dhandapani, Inspector of Police and Durairaj, Inspector of Police.

8. In view of the bar under Section 468(2)(c) of Cr.P.C., the order impugned herein is quashed. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

17.12.2025

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



To
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1. The Superintendent of Police,
Thanjavur District.
2. The Inspector of Police,
Madukkur Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

RJR

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17.12.2025