



CRL OP(MD). No.19988 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 17/11/2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.19988 of 2025
and
CrI.M.P(MD) No.16847 of 2025

Arul

... Petitioner

Vs

1.The State of Tamilnadu,
Rep by the Inspector of Police,
Melur Police Station,
Madurai District.

2. Subbulakshmi,
Sub Inspector of Police,
Melur,
Madurai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to
call for the records relating to the Crime No.858 of 2023 pending on the
file of the first respondent / police and quash the same.

For Petitioner : Mr.S.Veeramanikandan
Advocate

For R1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor



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ORDER

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The petitioner seeks to quash the impugned FIR in Crime No.858 of 2023 pending on the file of the first respondent, which was registered for the offences under Section 12 of the Tamil Nadu Gaming Act, 1930.

2.The allegations in the impugned FIR are that the petitioner along with other accused was engaged in gaming with cards and thus, committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that the impugned FIR was registered on 28.12.2023; that the respondent police have not filed the final report so far and that even if the respondent police are now allowed to file the final report, it will be barred by limitation, as no other offence can be made out from the allegations.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that the investigation is still pending and that the respondent police have no justifiable reason for the delay in filing the final report.



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5. Admittedly, the respondent police have not filed the final report for the offence under Section 12 of the Tamil Nadu Gaming Act so far and the offence is said to have taken place on 28.12.2023. Section 12 of the Act reads as follows:-

“12. Penalty for gaming in public Street, etc.,

Whoever is found gaming with cards, dice, counters, money or other instruments of gaming in any public street, place or thoroughfare or publicly fighting cocks, shall be liable on conviction to fine not exceeding one hundred rupees or to imprisonment not exceeding three months and such instruments of gaming and moneys shall be forfeited.'

6. The maximum sentence that can be imposed is three months imprisonment with fine up to Rs.100/-. As per Section 468 of Cr.P.C., if the offences punishable with imprisonment do not exceed one year, the period of limitation would be one year. The respondent police have no justifiable reason for the delay in filing of the final report. Hence, even if the respondent police are now allowed to file the final report, it would be



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barred by limitation and no useful purpose would be served by keeping the impugned FIR pending investigation and the same is liable to be quashed.

7. Accordingly, the impugned FIR in Crime No.858 of 2023, on the file of the first respondent police, is quashed and the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

17.11.2025

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

1. The Inspector of Police,
Melur Police Station,
Madurai District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J

CP

ORDER
IN
CRL OP(MD) No.19988 of 2025

Date : 17/11/2025