



CrI.O.P.No.448 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.448 of 2026
and CrI.M.P.Nos.262 and 260 of 2026

1. Sivappugaz
2. Kumar
3. Ravibharathi
4. Sunil @ Ranganathan
5. Gurudevan @ Guru ... Petitioners

Vs.

1. State Rep. by,
The Inspector of Police,
Karamadi Police Station,
Coimbatore District.
Crime No.649 of 2020.
2. V.Nagarajan ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C / Section 528 of Bharatiya Nagarik Suraksha Sanhita calling for records relating to STC.No.635 of 2025 on the file of the learned Judicial Magistrate Court, Mettupalayam and quash the same.

For Petitioners : Mr.C.Ramkumar

For R1 : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

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This criminal original petition has been filed seeking to quash the proceedings in STC.No.635 of 2025 on the file of the Judicial Magistrate Court, Mettupalayam.

2. It is the case of the prosecution that on 20.09.2020 at about 5.35 p.m., the petitioners burnt the effigy of actor Surya by pouring kerosene negligently, due to which, they are facing trial before the learned Judicial Magistrate Court, Mettupalayam for the offence under Section 285 of IPC, 1860. Hence, the present complaint was lodged by the second respondent-de facto complainant.

3. The submissions of the learned counsel appearing for the petitioners are as follows:-

3.1. The first respondent-Police registered the case under Section 285 of the Indian Penal Code, 1860 against the petitioners with regard to the incident which is said to have happened on 20.09.2020.

3.2. The maximum punishment prescribed for the aforesaid offence is tabulated hereunder:



Section	Punishment
285 IPC	Imprisonment may extend to six months, or with fine, or with both

3.3. Hence, the investigation ought to have been completed and the final report filed within one year from the date of registration of the FIR, as mandated under Section 468 of Cr.P.C. Therefore, there is a clear bar for taking cognizance if it is filed beyond one year.

3.4. Since the final report had been filed after the expiry of one year, the learned Magistrate is barred from taking cognizance. Hence, the continuation of the proceedings against the petitioners is an abuse of process of law and hence, the impugned proceedings is liable to be quashed.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. For the punishment set out in paragraph 3.2. supra, the final report ought to have been filed within one year from the date of registration of the FIR, as per Section 468(2)(b) of Cr.P.C. However, in the instant case, the final report has not been filed after the period of one year and therefore,



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cognizance ought not to have been taken. In such circumstances, this Court finds that continuation of further proceedings against the petitioners is nothing but an abuse of process of law.

6. Accordingly, the proceedings in STC.No.635 of 2025 on the file of the learned Magistrate Court, Mettupalayam, stands quashed and this criminal original petition is allowed. Consequently, connected miscellaneous petitions stand closed.

09.01.2026

Neutral Citation: Yes/No
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To

1. The Inspector of Police,
Karamadi Police Station,
Coimbatore District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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