



Crl.O.P.No.4177 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM:

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

Crl.O.P.No.4177 of 2026

and

Crl.M.P.No.2908 of 2026

Marsook Ahamed

...Petitioner

Vs.

State represented by its,
The Sub-Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
Crime No.196 of 2021.

...Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records relating to the case in Crime No.196 of 2021 on the file of the respondent herein and quash the same as illegal and without jurisdiction.

For Petitioner : Mr.I.Abdul Basith

For Respondent : Mr.S.Santhosh, GA(Crl. Side)

ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.196 of 2021 on the file of the respondent herein.



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2. The case of the prosecution is that on 15.02.2021, the petitioner along with other Jamaath Members, without obtaining any prior permission, unlawfully assembled and protested against the arrest of one Abubacker Siddiq, thereby causing disturbance to the public. Consequently, a case in Crime No.196 of 2021 was registered by the respondent Police for the offences under Sections 143, 341, 188 and 270 of IPC and Section 3 of the Epidemic Diseases Act, 1897 and Section 51(1)(b) of the Disaster Management Act, 2005, which is now sought to be quashed.

3.1. Learned counsel appearing for the petitioner submitted that the facts of the instant case are similar to the facts of the cases in ***Jeevanandham and others vs. The Inspector of Police, Velayuthampalayam Police Station, Karur District*** reported in (2018 2 LW (Crl) 606) and ***Sri Raja vs Inspector of Police, Sivakasi Town Police Station Virudhunagar District and others (Crl.O.P(MD) No.7922 of 2019, decided on 30.08.2019)***, in which the proceedings were quashed. He further submitted that the maximum punishment prescribed for the aforesaid offences are tabulated hereunder:



Sections	Punishment
143 IPC	Imprisonment may extend to six months, or with fine, or with both
341 IPC	Imprisonment may extend to one month or with fine which may extend to Rs.500/- or with both
188 IPC	Based on the classification of the offence, Simple Imprisonment may extend to one month, or with fine which may extend to Rs.200/-, or with both, OR, Imprisonment may extend to six months, or with fine which may extend to Rs.1,000/-, or with both
270 IPC	Imprisonment may extend to two years or with fine, or with both

3.2. He further submitted that the investigation ought to have been completed and the final report ought to have been filed within three years from the date of registration of the FIR, as mandated under Section 468 Cr.P.C. Since the final report has not yet been filed till date, on this ground also, the impugned FIR is liable to be quashed.

4. Learned Government Advocate (Criminal Side) appearing for the respondent Police endorsed the aforesaid submission of the learned counsel for the petitioner that the facts of the instant case are akin to the facts in the aforesaid two cases and fairly conceded that the investigation is under progress and the final report is not yet filed.



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5. Heard the learned counsel on either side and perused the

materials available on record.

6. In view of the above submission made by the learned counsel for the petitioner, this Court is of the opinion that the above said two decisions would apply on all fours to the present case. That apart, for the punishments set out in paragraph 3.1. supra, the final report ought to have been filed within three years from the date of registration of the FIR, as per Section 468(2)(c) of Cr.P.C. However, in the instant case, the final report has not been filed till date, and hence, no useful purpose will be served by keeping the impugned FIR in Crime No.196 of 2021 pending and the same is liable to be quashed.

7. Accordingly, this criminal original petition stands allowed and the impugned FIR pending against the petitioner in Crime No.196 of 2021 on the file of the 1st respondent police, is hereby quashed as against the petitioner. Consequently, the connected miscellaneous petition is closed.

19.02.2026

skt

Neutral Citation: Yes/No

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To

1. The Sub-Inspector of Police,
Muthupettai Police Station,
Tiruvarur District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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