



WEB COPY

CRL OP No. 2619 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

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

**CRL OP No. 2619 of 2026
and Crl.M.P.Nos.1748 & 1749 of 2026**

Aravind

..Petitioner(s)

Vs

1. The State Rep.by, The Inspector of Police,
Sethiyathope Police Station,
Cuddalore District.
Cr.No.905/2020.

2. Arokiya Sundar

..Respondent(s)

Criminal Original Petition is filed under Section 528 of B.N.S.S., to call for records in STC.No.98 of 2025 on the file of the Judicial Magistrate Court-1, Chidhambaram and quash the same.

For Petitioner(s): Mr.R.Thirumoorthy

For Respondent(s): Mr.S.Santhosh,
Government Advocate (Crl.Side) for R1

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in STC.No.98 of 2025 pending on the file of the Judicial Magistrate Court-1, Chidhambaram.



2. The case of the prosecution is that on 31.08.2020, while the de facto complainant's brother and his daughter were travelling in a two-wheeler, the accused, who was driving a Nissan Car bearing Registration No.TN 12 C 4708, in a rash and negligent manner, dashed against the two-wheeler, thereby, causing grievous injuries to the de facto complainant's brother and daughter. Based on the complaint, a case in Crime No.905 of 2020 was registered by the first respondent for the offences under sections 279 and 337 of IPC. After completion of the investigation, the first respondent has filed the final report before the learned Judicial Magistrate, Chidambaram and the same has been taken cognizance in S.T.C.No.98 of 2025.

3. The learned counsel for the petitioner submitted that the maximum punishment prescribed for the offence under Section 279 IPC may extend to six months imprisonment or a fine up to Rs.1,000/- or both and for the offence under Section 337 IPC, the punishment may extend to six months imprisonment or a fine up to Rs.500/- or both. 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 Cr.P.C. Therefore, there is a bar for taking cognizance if it is filed beyond one year. He further submitted that since the final report has been filed only on 22.02.2025, the learned Magistrate is



barred from taking cognizance. Hence, the continuation of the proceedings against the petitioner is an abuse of process of law and hence, the proceedings is liable to be quashed.

4. Learned Government Advocate (Crl.Side) appearing for the first respondent police submitted that the final report has been filed before the learned Judicial Magistrate, Chidambaram on 22.02.2025 and the same has also been taken cognizance in S.T.C.No.98 of 2025.

5. Having heard the learned counsel appearing on either side and upon perusal of the materials available on record, this Court finds that the case was registered for the offences under Sections 279 and 337 of IPC and that for the said offences, the final report ought to have been filed within one year from the date of registration of the FIR as mandated under Section 468(2)(b) of Cr.P.C. However, the final report has been filed only on 22.02.2025 and therefore, cognizance cannot be taken.

6. In view of the above, this Court is of the opinion that no useful purpose would be served by keeping the proceedings pending. Accordingly, the Criminal Original Petition stands allowed and the proceedings pending against the petitioner in S.T.C.No.98 of 2025, on the file of the first respondent Police,



are hereby quashed. Consequently, connected Miscellaneous Petitions are closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The Judicial Magistrate Court-1, Chidhambaram.

2.The Inspector of Police,
Sethiyathope Police Station,
Cuddalore District.

3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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