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CRL OP No. 3601 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

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

**CRL OP No. 3601 of 2026
and Crl.M.P.Nos.2492 & 2494 of 2026**

Krishnan

..Petitioner(s)

Vs

1. The State rep. by
The Sub-Inspector of Police,
Melchangam Police Station,
Tiruvannamalai District.
(Crime No.358/2019)

2. Niranjanadevi

..Respondent(s)

Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pending
on the file of the Judicial Magistrate Court, Chengam, Tiruvannamalai District
in C.C.No.33/2023 and quash the same.

For Petitioner(s):

Mr.E.Kannadasan

For Respondent(s):

Mr.K.M.D.Muhilan,

Addl. Public Prosecutor for R1



ORDER

The present Criminal Original Petition has been filed seeking to quash the proceedings pending against the petitioner in C.C.No.33 of 2023, on the file of the Judicial Magistrate Court, Chengam, Tiruvannamalai.

2. Based on the complaint lodged by the second respondent/*de facto* complainant, alleging that when the deceased, after attending his friend's wedding at Jolarpet, was proceeding in Chengam - Bangalore Highway, in his two wheeler, the petitioner drove his Innova car in a rash and negligent manner and dashed against the deceased and the deceased succumbed to injuries on the same day, pursuant to which, a case in Crime No.358 of 2019 was registered on 15.07.2019 for the offences under Sections 279 and 304A of IPC. After completion of the investigation, the final report was filed before the learned Judicial Magistrate, Chengam, which was taken cognizance and numbered as C.C.No.33 of 2023, which is now sought to be quashed.

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

3.1. The alleged incident is said to have taken place on



15.07.2019 and the case was registered on the same day. The maximum punishment prescribed for the aforesaid offence is tabulated hereunder:

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Sections	Punishment
279 IPC	Imprisonment may extend to six months, or with fine or with both
304A IPC	Imprisonment may extend to two years, or with fine or with both

3.2. In respect of the aforesaid offences, the investigation ought to have been completed and the final report filed within three years from the date of registration of the FIR, as mandated under Section 468 Cr.P.C. Therefore, there is a clear bar for taking cognizance if it is filed beyond three years. However, in this case, the final report was filed only in the year 2023, which is beyond the period of limitation. Admittedly, in this case, no application has been filed seeking condonation of delay in filing the final report.

3.3. Hence, the continuation of the proceedings against the petitioner is an abuse of process of law. Therefore, he prayed to quash the proceedings pending against the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the first respondent police submitted that based on the complaint given by the second respondent, the present case came to be registered on 15.07.2019. He



further submitted that the final report was filed in the year 2023 and he fairly admitted that there is a delay.

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5. Heard both sides and perused the materials available on record.

6. For the punishments set out in paragraph 3.2, 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 within the period of three years since the registration of the FIR and therefore, cognizance should not have been taken.

7. In view of the above, this Court is of the opinion that no useful purpose would be served by keeping the impugned proceedings pending and the same is liable to be quashed. Accordingly, the Criminal Original Petition stands allowed and the proceedings pending against the petitioner in C.C.No.33 of 2023, on the file of the learned Judicial Magistrate, Chengam, Tiruvannamalai, is hereby quashed. Consequently, the connected miscellaneous petitions are closed.

13-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VKR



To

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- 1.The Judicial Magistrate, Chengam, Tiruvannamalai.
- 2.The Sub-Inspector of Police,
Melchanganam Police Station,
Tiruvannamalai District.
- 3.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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