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Crl.O.P.(MD).No.4505 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2026

CORAM:

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

Crl.O.P.(MD).No.4505 of 2026

Ambika Senbagalingam

...Petitioner

Vs.

1. State of Tamil Nadu rep. by,
The Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
Crime No.149 of 2019.

2. G.Sayeelakshmi,
Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.

...Respondents

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 impugned FIR in Crime No.149 of 2019 dated 16.11.2019 on the file of the respondent-police and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.S.Murugapandi

For Respondents : Mr.K.M.D.Muhilan, APP, for R1



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ORDER

This criminal original petition has been filed seeking to quash the FIR in Crime No.149 of 2019, pending on the file of the respondent-police.

2. The case of the prosecution is that on 16.11.2019, the petitioner and others, who belong to a political party, without obtaining any prior permission, unlawfully assembled and protested against the failure to repair the damaged National Highway from Kavalkinaru to Kaliyakavilai and the protestors blocked the road, despite the warnings issued by the respondent-police, thereby causing disturbance to the public. Consequently, the aforesaid case in Crime No.149 of 2019 was registered by the respondent-police for the offences under Sections 143, 341 & 283 of IPC, which is now sought to be quashed.

3 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
283 IPC	Fine which may extend to two hundred rupees.



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4. Learned counsel for the petitioner submitted that in respect of the aforesaid offences, the investigation ought to have been completed and the final report should have been filed within a period of one year from the date of registration of the FIR ie., 16.11.2019, as mandated under Section 468 Cr.P.C. However, even after a lapse of about seven years, the final report has not been filed till date and therefore, the same is barred by limitation. Hence, the continuation of the proceedings against the petitioner is an abuse of process of law and therefore, the impugned FIR is liable to be quashed.

5. He further 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.

6. Learned Additional Public Prosecutor appearing for the respondent-police endorsed the aforesaid submission of the learned counsel



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for the petitioner that the facts of the instant case are akin to the facts in the aforesaid two cases and he fairly submitted that the final report is yet to be filed before the Court concerned.

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

8. For the punishments set out in paragraph 3 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 yet been filed, even after a lapse of seven years from the date of registration of FIR.

9. Further, this Court is of the opinion that the abovesaid two decisions relied on by the learned counsel for the petitioner would apply on all fours to the present case and that no useful purpose will be served by keeping the impugned FIR in Crime No.149 of 2019 pending and hence, the same is liable to be quashed.



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10. Ergo, for the aforesaid two reasons, this criminal original petition stands allowed and the FIR in Crime No.149 of 2019, pending on the file of the respondent-police, is hereby quashed as against the petitioner.

05.03.2026

skt

Neutral Citation: Yes/No

To

1. The Inspector of Police,
Nesamony Nagar Police Station,
Kanyakumari District.
2. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

skt

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