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Crl.O.P.No.6742 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2026

CORAM:

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

Crl.O.P.No.6742 of 2026

and

Crl.M.P.Nos.4914 & 4915 of 2026

1. Saravanan KRS
2. Rajkamal RKB
3. M.Ranjith Kumar
4. Venkatachalam  
Ex-MLA Salem Constituency.

...Petitioners

Vs.

1. The Sub Inspector of Police,  
Hasthampatty Police Station,  
Salem District.
2. Mohanraj,  
Village Administrative Officer (VAO),  
Hasthampatty, Salem District.

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records pertaining to the case pending investigation in STC.No.639 of 2024 on the file of the Judicial Magistrate Court No.III, Salem and quash the same as against the petitioner.



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For Petitioners : Mr.S.Tamil Selvan

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For Respondents : Mr.S.Udayakumar, GA(Crl. Side), for R1

## **ORDER**

This criminal original petition has been filed seeking to quash the proceedings pending against the petitioners in STC.No.639 of 2024, on the file of the Judicial Magistrate Court No.III, Salem.

2. Based on a complaint lodged by the 2<sup>nd</sup> respondent/de facto complainant alleging that on 28.03.2021 at about 10.15 am, the petitioners along with others, who are the members of a political party, assembled unlawfully without obtaining prior permission and protested against the former Central Minister and present Member of Parliament, namely, A.Raja for making defamatory remarks about the then Chief Minister of Tamil Nadu and his mother in violation of the election code and also burnt his face printed figurine, a case in Crime No.113 of 2021 was registered as against the petitioners and others for the offences under Sections 143, 341 and 285 of IPC. After completion of the investigation, the final report was filed before the Judicial Magistrate Court No.III, Salem for the aforesaid offences and the learned Magistrate took cognizance of the same and numbered it as STC.No.639 of 2024, which is now sought to be quashed.



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3. Learned counsel for the petitioners submitted that the case in Crime No.113 of 2021 was registered against the petitioners and others on 28.03.2021 and the maximum punishment prescribed for the aforesaid offences is imprisonment which may extend to six months, or with fine, or with both. In respect of the aforesaid offences, the investigation ought to have been completed and the final report should have been filed within one year 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 one year. However, in this case, the final report was filed only in the year 2024, 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. Hence, the continuation of the proceedings against the petitioners is an abuse of process of law. Therefore, he prayed to quash the impugned proceedings pending against the petitioners and other accused persons.

4. Learned Government Advocate (Crl. Side) appearing for the 1<sup>st</sup> respondent-police, on instructions, submitted that based on the complaint given by the 2<sup>nd</sup> respondent, the present case came to be registered on 28.03.2021. He further fairly submitted that the final report was filed only



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on 18.04.2023, which is after the limitation period prescribed under Section 468 of Cr.P.C.

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

6. For the abovesaid punishment, 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, the final report has not been filed within the period of one year since the registration of the FIR and therefore, cognizance ought not to 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. Further, though the petition has been filed by the petitioners alone, no useful purpose would be served by allowing the proceedings to continue against the remaining accused, who are all similarly placed, and it is an abuse of process of law.



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8. Accordingly, this criminal original petition stands allowed and the impugned proceedings pending in STC.No.639 of 2024, on the file of the Judicial Magistrate Court No.III, Salem, is hereby quashed in entirety. Consequently, the connected miscellaneous petitions are closed.

**26.03.2026**

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Neutral Citation: Yes/No

To:

1. The Judicial Magistrate No.III,  
Salem.
2. The Sub Inspector of Police,  
Hasthampatty Police Station,  
Salem District.
3. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA, J.**

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