



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

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

CRL OP(MD) No. 3043 of 2026

&

CRL MP(MD) Nos. 3299 & 3301 of 2026

David Annathurai,
S/o.Kalimuthu,
Vetri Theater,Near Villupuram,
Madurai District.

..Petitioner(s)

Vs

1.The State of Tamilnadu,
Rep. by the Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.
(Crime No.225 of 2019)
2.Thangameena,
Government Official Gazetted,
Tahsildar, Flying Squad,
192, Madurai South Constituency,
Madurai.

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the final report in S.T.C.No.3203 of 2021 on the file of the learned Judicial Magistrate -I, Madurai and quash the same as against the petitioner.

For Petitioner(s): Mr.M.Jegadeesh Pandian

For Respondent(s): Mr.S.Udayakumar, GA(Cri.Side)



ORDER

The present Criminal Original Petition has been filed seeking to call for the final report in S.T.C.No.3203 of 2021, pending on the file of the learned Judicial Magistrate -I, Madurai and quash the same as against the petitioner.

2.The case of the prosecution is that on 19.03.2019, the petitioner and others, who belong to a political party, without obtaining prior permission, had unlawfully assembled and garlanded the Anna Statue and conducted a large procession, thereby causing disturbance to the public. Therefore, a case in Crime No.225 of 2019 was registered by the respondent Police for the offences under Sections 143 & 283 IPC. After completion of the investigation, a final report was filed before the learned Judicial Magistrate-I, Madurai and the Court took cognizance of the same and numbered it as S.T.C.No.3203 of 2021.

3.The learned counsel for the petitioner would submit that the alleged occurrence is said to have happened on 19.03.2019 and the complaint was registered on the same day. He pointed out that the maximum punishment for the aforesaid offences being imprisonment which may extend to six months, or with fine, or with both, the first respondent ought to have completed the investigation and filed the final report within a period of one year from the date of registration of the FIR, i.e. 19.03.2019 as mandated under Section 468



Cr.P.C. However, in this case, the final report has been filed only on 10.02.2021, i.e. with a delay of more than one year and eleven months and the same was taken cognizance vide S.T.C.No.3203 of 2021 by the learned Judicial Magistrate -I, Madurai 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 accordingly, the proceedings pending in S.T.C.No.3203 of 2021 against the petitioner are liable to be quashed.

4. The learned counsel appearing for the petitioner would further submit 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. Hence, he prayed to quash the proceedings pending against the petitioner.

5. The learned Government Advocate(Crl.Side) appearing for the first respondent would submit that there are eight other accused and the alleged occurrence had taken place on 19.03.2019 and the FIR has been registered on the same day, while the final report has been filed on 10.02.2021. He would fairly submit that there is a delay of one year and eleven months from the date



of the registration of the FIR in filing the final report and he would endorse the submission of the learned counsel for the petitioner that the facts of the instant case are akin to the facts of the aforesaid cases cited supra.

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

7. 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 been filed after a lapse of one year and eleven months from the date of registration of the FIR.

8. Further, this Court is of the opinion that the above said 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 proceedings pending against the petitioner and the same are liable to be quashed. Further, though the petition has been filed by the petitioner alone, no useful purpose would be served by allowing the proceedings to continue as against the remaining accused, who are all similarly placed and hence, the continuation of the same, is an abuse of process of law.



9. Ergo, for the aforementioned reasons, this Criminal Original Petition stands allowed and the entire proceedings in S.T.C.No.3203 of 2021, pending on the file of the learned Judicial Magistrate -I, Madurai are hereby quashed as against the petitioner as well as in respect of the other accused. Consequently, the connected miscellaneous petitions are closed.

12-03-2026

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To

1. The Judicial Magistrate No.I, Madurai

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai City.

3. The Public Prosecutor,
High Court of Madras.

4. Thangameena,
Government Official Gazetted,
Tahsildar, Flying Squad,
192, Madurai South Constituency,
Madurai.



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