



Crl.O.P.No.6947 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.6947 of 2026

and

Crl.M.P.No.5037 of 2026

B.Suniljayan @ Sunil

...Petitioner

Vs.

State rep. by,
The Inspector of Police,
Racecourse Police Station,
Coimbatore – 641 018.
Crime No.354 of 2018.

...Respondent

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records relating to C.C.No.5956 of 2025, pending on the file of the Judicial Magistrate Court No.III, Coimbatore arising out of Crime No.354 of 2018 on the file of the respondent police and quash the same against the petitioner.

For Petitioner : Mr.Subhang P Nair

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



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ORDER

This criminal original petition has been filed seeking to quash the proceedings pending against the petitioner in C.C.No.5956 of 2025, pending on the file of the Judicial Magistrate Court No.III, Coimbatore.

2. Based on the complaint lodged by one S.Deivasigamani, Inspector of Police, alleging that on 18.04.2018 at about 05.00 pm, when he was conducting routine patrol duty, the petitioner along with other accused, who are the members of a political party, assembled unlawfully without obtaining prior permission and protested against one H.Raja, who is a senior leader of a political party, for making defamatory remarks about the leader of another political party and his family members, thereby, causing hindrance to the general public, a case in Crime No.354 of 2018 was registered as against the petitioner and others for the offences under Sections 143, 341, 188 and 285 of IPC. After completion of the investigation, the final report was filed before the Judicial Magistrate Court No.III, Coimbatore, for the aforesaid offences and the learned Magistrate took cognizance of the same and numbered it as C.C.No.5956 of 2025, which is now sought to be quashed.



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3. Learned counsel for the petitioner submitted that the case in Crime No.354 of 2018 was registered against the petitioner and other accused on 18.04.2018 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 2025, 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 petitioner is an abuse of process of law. Therefore, he prayed to quash the impugned proceedings pending against the petitioner and other accused persons.

4. Learned Government Advocate (Crl. Side) appearing for the respondent-police, on instructions, submitted that the FIR in Crime No.354 of 2018 was registered on 18.04.2018 and he fairly submitted that the final



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report was filed only on 28.10.2025, 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, in the instant case, 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 petitioner 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 C.C.No.5956 of 2025, on the file of the Judicial Magistrate Court No.III, Coimbatore, is hereby quashed in entirety. Consequently, the connected miscellaneous petition is closed.

26.03.2026

skt

Neutral Citation: Yes/No

To:

1. The Judicial Magistrate No.III,
Coimbatore.
2. The Inspector of Police,
Racecourse Police Station,
Coimbatore – 641 018.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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