



WEB COPY

CRL RC No.800 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL RC No.800 of 2026

1.M.Jayaseelan

2.J.Josephine Rani

3.Ruth Joyce @ Joyce Baby

..Petitioners

Vs

State represented by

The Inspector of Police

W-32, All Women Police Station

Madipakkam, Chennai.

(Crime No.05 of 2015)

..Respondent

Prayer: This Criminal Revision petition is filed under Sections 438 & 442 BNSS, to call for the records in C.C.No.306 of 2025, on the file of the Additional Mahila (Judicial Magistrate Level) Alandur and set aside the order dated 05.08.2024 by allowing this revision.

For Petitioners:

Mr.K.Balasubramaniam

For Respondent:

Mr.R.Kishore Kumar

Government Advocate(Crl.side)

ORDER

This Criminal Revision Petition has been filed to call for the records in C.C.No.306 of 2025, on the file of the Additional Mahila Court, (Judicial Magistrate Level), Alandur and set aside the order dated 05.08.2024 by allowing this revision.



2. The present revision has been filed challenging the cognizance taken by the learned Magistrate on 25.06.2024.

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3. While perusing the final report dated 18.06.2024 filed by the W-32, All Women Police Station, Madipakkam, Chennai, in Crime No.05 of 2015, the learned Magistrate has taken cognizance of the final report under Sections 498(A), 406, 323 and 506(i) IPC.

4. The only the contention put forth by the learned counsel for the petitioners is that under Section 468(2)(c) of Cr.P.C., if any offence is having punishment from one year to three years, the charge sheet and final report has to be filed within a period of three years.

5. Admittedly, the petitioners were charged under Sections 498(A), 406, 323 and 506(i) IPC. For all these offences, the maximum punishment is three years. Therefore, it is the contention of the petitioners that as per Section 468(2) (c) Cr.P.C, the cognizance is taken by the learned Magistrate beyond the period of limitation.

6. At this juncture, though the learned Government Advocate (Crl.side) invited the attention of this Court to Section 473 of Cr.P.C., where the Court is vested with power to extend the time for filing the charge sheet.



7. In this case admittedly no such application was filed. Therefore, as rightly contended by the learned counsel for the petitioners, the cognizance taken by the learned Magistrate after a period of 9 years is beyond the period of limitation.

8. In view of the above, the impugned order is set aside by allowing the Criminal Revision Petition.

08.04.2026

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

To

1.The Additional Mahila Court,
(Judicial Magistrate Level) Alandur.

2.The Inspector of Police
W-32, All Women Police Station
Madipakkam, Chennai.
(Crime No.05 of 2015)



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C.KUMARAPPAN, J.

dna

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