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Crl.O.P.(MD).No.4881 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.(MD).No.4881 of 2026

and

Crl.M.P.(MD).Nos.5232 & 5233 of 2026

Dharmar

...Petitioner

Vs.

1. State of Tamil Nadu rep. by,
The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
Crime No.26 of 2019.

2. Tamilarasu,
The Sub Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.

...Respondents

Criminal Original Petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records in
STC.No.54 of 2026 on the file of the Judicial Magistrate Court No.I,
Ramanathapuram in Crime No.26 of 2019 dated 24.03.2019 on the file of
the 1st respondent-police and quash the same as illegal and devoid of merits.

For Petitioner : Mr.A.Uthaya Kumar

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



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ORDER

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This criminal original petition has been filed seeking to quash the proceedings in STC.No.54 of 2026, pending on the file of the Judicial Magistrate Court No.I, Ramanathapuram.

2. The case of the prosecution is that on 24.03.2019, the petitioner and others, belonging to a political party, organised an election campaign procession involving more than sixty vehicles without obtaining prior permission, in a manner causing disturbance to the public, thereby, violating the Model Code of Conduct. Consequently, a case in Crime No.26 of 2019 was registered by the 1st respondent-police for the offences under Sections 143 & 286 of IPC and Section 177 of the Motor Vehicles Act. After completion of investigation, the final report came to be filed before the Judicial Magistrate Court No.I, Ramanathapuram, for the aforesaid offences and the same was taken on file in STC.No.54 of 2026, which is now sought to be quashed.

3. Learned counsel for the petitioner made the following submissions:

3.1 The case in Crime No.26 of 2019 was registered against the petitioner and others on 24.03.2019 and the maximum punishment



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prescribed for the abovesaid 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 2026, 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.

3.2 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. Therefore, he prayed to quash the impugned proceedings pending against the petitioner.



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4. Learned Government Advocate (Crl. Side) appearing for the 1st respondent-police endorsed the aforesaid submission of the learned counsel for the petitioner that the facts of the instant case are akin to the facts in the aforesaid two cases. He also fairly submitted that the final report was not filed within the limitation period.

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

6. That the case was registered on 24.03.2019 for the offences under Sections 143 & 286 of IPC and Section 177 of Motor Vehicles Act, and that the maximum sentence for the aforesaid offences is six months and the charge sheet therefor ought to have been filed within one year from the date of registration of the FIR as mandated under Section 468(2)(b) of Cr.P.C., are not in dispute. However, in the instant case, the final report has been filed only on 25.03.2026 ie., after a period of six long years and therefore, cognizance ought not to have been taken by the learned Magistrate.



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7. Further, this Court is of the opinion that the above said 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 proceedings in STC.No.54 of 2026, pending on the file of the Judicial Magistrate Court No.I, Ramanathapuram and the same is liable to be quashed.

8. Accordingly, this criminal original petition stands allowed and the impugned proceedings in STC.No.54 of 2026, pending on the file of the Judicial Magistrate Court No.I, Ramanathapuram, is hereby quashed as against the petitioner. Consequently, the connected Miscellaneous petitions are closed.

26.03.2026

skt

Neutral Citation: Yes/No

To:

1. The Judicial Magistrate Court No.I,
Ramanathapuram.
2. The Inspector of Police,
Muthukulathur Police Station,
Ramanathapuram District.
3. The Public Prosecutor,
High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

skt

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