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Crl.O.P.No.8238 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2026

CORAM:

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

Crl.O.P.No.8238 of 2026

and

Crl.M.P.Nos.5838 & 5841 of 2026

L.Murugan

...Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Sathiyamangalam Police Station,
Erode District.
2. Assistant Election Retaining Officer
and Assistant Director Panchayat,
19 Nilgiris Parliamentary Constituency,
107 Bhavanisagar Assembly Constituency.

...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 in STC.No.1793 of 2025 on the file of the Judicial Magistrate - I, Erode, including the Final Report (Charge Sheet No. 774 of 2025) and the First Information Report in Crime No.165 of 2024 on the file of the Respondent-Police and quash the same as against the petitioner.

For Petitioner : Mr.A.R.Sakthivel

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



Crl.O.P.No.8238 of 2026

ORDER

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This criminal original petition has been filed seeking to quash the proceedings pending against the petitioner in STC.No.1793 of 2025, on the file of the Judicial Magistrate Court No.1, Erode.

2. Based on a complaint lodged by the 2nd respondent/de facto complainant alleging that on 26.03.2024, the petitioner, while contesting the Parliamentary Elections, allegedly conducted an “election discussion meeting” at Saru Matric Higher Secondary School, Sathyamangalam, without permission which was attended by about 100 persons, a case in Crime No.165 of 2024 was registered as against the petitioner for the offences under Sections 143 and 171H of IPC. After completion of the investigation, a final report was filed before the Judicial Magistrate - I, Erode for the aforesaid offences and the learned Magistrate took cognizance of the same and numbered it as STC.No.1793 of 2025, which is now sought to be quashed.

3. Learned counsel for the petitioner submitted that the case in Crime No.165 of 2024 was registered against the petitioner on 26.03.2024 and the maximum punishment prescribed for the aforesaid offences is



Crl.O.P.No.8238 of 2026

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 on 06.10.2025, 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 1st respondent-police, on instructions, submitted that based on the complaint given by the respondent Police, the present case came to be registered on 26.03.2024. He further fairly submitted that the final report was filed only on 06.10.2025, 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



Crl.O.P.No.8238 of 2026

materials available on record.

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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, concededly, 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.

8. Accordingly, this criminal original petition stands allowed and the impugned proceedings pending in STC.No.1793 of 2025, on the file of the Judicial Magistrate-I, Erode, is hereby quashed in entirety. Consequently, the connected miscellaneous petitions are closed.

02.04.2026

Neutral Citation: Yes/No

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Crl.O.P.No.8238 of 2026

To:

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1. The Judicial Magistrate No.I,
Erode.
2. The Inspector of Police,
Sathiyamangalam Police Station,
Erode District.
3. The Assistant Election Retaining Officer
and Assistant Director Panchayat,
19 Nilgiris Parliamentary Constituency,
107 Bhavanisagar Assembly Constituency.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.8238 of 2026

A.D.JAGADISH CHANDIRA, J.

SHA

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