



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 13251 of 2026

Vinoth S
S/o. Sivaji,
No.5/206, Road Street,
Venaiyagapuram,
Unnamanandal,
Villupuram-604 201.

..Petitioner/Accused

Vs

1. The State Rep by
The Inspector of Police
Anandapuram Police Station,
Villupuram District-605 201.
Crime No.78 of 2023

2. Manimegala
W/o. Janakiraman,
Melarungunam Village,
Gingee Taluk,
Villupuram District-604 151

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S praying to call for the records in Crime No.78 of 2023 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.Prabhu, C.

For Respondent-1: Mr.R.Rajasekaran
Government Advocate (Crl. Side)

For Respondent-2: No appearance



ORDER

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The petitioner/accused in Crime No.78 of 2023 for offence under Sections 279 and 337 of I.P.C., 1860 had filed this petition seeking to quash the F.I.R.

2. The case of the prosecution is that on 27.03.2023 at about 7.00 p.m. the second respondent/de facto complainant along with her husband Janakiraman were proceeding in their two wheeler bearing Registration No.TN-11-H-0561 from Arungunam to Ginjee. When they were nearing Arungunam to Ginjee main road near varikkal Nagappan Udayar Brick Kiln at that time, a Splendor motorcycle bearing Registration No.TN-16-V-8496 driven by the petitioner came from the opposite direction in a rash and negligent manner without honking the horn, dashed against their two wheeler and caused accident. The de facto complainant's husband sustained grievous injury and was taken in 108 Ambulance and later shifted to MIOT hospital, Chennai. Hence, she lodged a complaint.

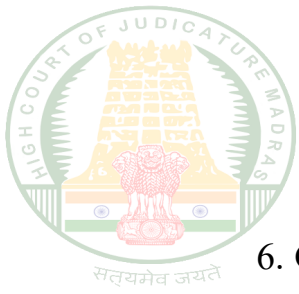
3. The contention of the learned counsel for petitioner is that the accident took place at 7.00 p.m., where there were no lights and visibility was poor. The petitioner was not riding the vehicle and he was falsely implicated in this case.



The allegation that petitioner drove the vehicle in a rash and negligent manner is only a subjective observation of the pillion rider/de facto complainant. In the F.I.R., she had not mentioned on which side of the road the accident took place, who drove the vehicle on the other side and who were coming in the opposite direction. He further submitted that the offences under Sections 279 and 337 of I.P.C., carries a maximum punishment of six months imprisonment and in this case admittedly charge sheet not filed even after more than two years. Hence, it is hit by limitation under Section 468 of Cr.P.C. He further submitted that the petitioner is now selected for the Agniveer Scheme of the Indian Army. Since the F.I.R. is reflected in the CCTNS (Crime and Criminal Tracking Network & Systems) records, his selection has now become a questionable one.

4. The learned Government Advocate (Crl. Side) appearing for the first respondent police submitted that now investigation completed in the above case and a complaint filed before the Juvenile Court, Villupuram in J.C.No.25 of 2026 on 02.06.2026. He fairly submitted that no petition filed under Section 473 Cr.P.C. to condone the delay.

5. In this case already private notice caused to the second respondent and the notice was delivered.



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6. Considering the submissions made and on perusal of the materials, it is seen that the case arose out of a road accident that occurred at night hours, where there was inadequate lighting. The petitioner was a total stranger to the de facto complainant and there is no convincing materials to prove that petitioner was riding the two wheeler on the date of accident. The petitioner filed this quash petition on 22.04.2026 and the complaint has been filed before the Juvenile Justice Board on 02.06.2026 in a hurried manner.

7. The Hon'ble Supreme Court in the case of ***Sarah Mathew v. Institute of Cardio Vascular Diseases and ors reported in (2014) 2 SCC 62*** has held that the relevant date for computing limitation is the date of filing of the complaint or institution of prosecution. However, in cases where the final report is filed beyond the prescribed period, the Court cannot take cognizance unless the delay is condoned under Section 473 Cr.P.C. Admittedly, in this case, no petition has been filed under Section 473 Cr.P.C. seeking condonation of delay. Therefore, the bar under Section 468 Cr.P.C. squarely applies. Further, the petitioner also selected in Indian Army. Keeping the criminal proceedings pending in such circumstances, particularly in violation of statutory limitation, would amount to abuse of process of law.



8. Accordingly, the Criminal Original Petition is allowed and the F.I.R. in Crime No.78 of 2023 on the file of the first respondent police is hereby quashed. In view of the quashing of Crime No.78 of 2023, the subsequent proceedings in J.C.No.25 of 2026 is also quashed. It is made clear that the above case cannot be looked against the petitioner for his education and employment.

02-06-2026

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

Note: Issue order copy on 03.06.2026

To

1. The Juvenile Justice Board,
Villupuram.
2. The Inspector of Police
Anandapuram Police Station,
Villupuram District-605 201.
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

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