



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No.1769 of 2025

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Jeevanantham
S/o.Chinnasamy,
No.1/176,
Semalaigoundan Pudhur,
Pollikalipalayam,
Ugayanur,
Tiruppur District.

...Petitioner/A4

Vs

1. The State rep by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
Crime No.264 of 2020.
2. Viswanathan
S/o.Kandhasamy Gounder,
No.3/291,
Nallagoundanpalayam,
Madappur.
Tiruppur District.

...Respondents

Prayer : Criminal Revision Petition filed under Section 397 & 401 of Cr.P.C.,
r/w 438 & 442 of BNSS, to call for the records relating to the order dated
15.07.2025 made in Crl.M.P.No.136 of 2025 on the file of the Judicial
Magistrate Court, Palladam, set aside the same.



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For Petitioner:

Mr.R.Thamarai Selvan

For Respondents:

Mr.R.Vinothraja
Government Advocate (Crl.Side)
For R1

Mr.N.Ponraj
for R2

ORDER

The Criminal Revision challenges the order passed by the learned Judicial Magistrate, Palladam, in Crl.M.P.No.136 of 2025, dated 15.07.2025, dismissing the application filed by the petitioner/A-4 under Section 468 of the Criminal Procedure Code, as the Final Report has been filed beyond the period of limitation.

2. It is the case of the prosecution that the petitioner/A4, along with the other accused, on account of prior enmity, had attacked the *de-facto* complainant/2nd respondent, who is related to him, with hands and sticks, besides abusing the *de-facto* complainant in filthy language, and thus committed the offences under Sections 294(b), 323 and 324 of the Indian Penal Code.

3. The FIR was registered on 11.03.2020. The petitioner, who is arrayed as A4, had filed an application under Section 468 of Cr.P.C. and prayed that the Final Report has to be rejected, as it is barred by limitation. By the impugned order, the learned Magistrate dismissed the said petition.



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4. Mr.R.Thamarai Selvan, the learned counsel for the petitioner/A4, would submit that the maximum sentence that can be imposed for the offences under Sections 294(b), 323, and 324 of the IPC is as follows:

Offence under Section	Maximum Sentence
Section 294(b) of IPC	Three months
Section 323 of IPC	One year
Section 324 of IPC	Three years

Therefore, under Section 468(2)(b) of Cr.P.C., the Final Report ought to have been filed within a period of three years.

5. Mr.R.Vinothraja, the learned Government Advocate (Crl.Side), appearing for the first respondent, confirms the fact that the Final Report was filed only on 14.10.2025; and that no petition was filed under Section 473 of Cr.P.C., explaining the reasons for the delay in filing the Final Report.

6. Mr. N. Ponraj, the learned counsel for the *de-facto* complainant, 2nd respondent, would submit that the dispute is between brothers. He would further submit that due to the COVID-19 pandemic period, two years have to be excluded and would fairly admit that even if the said period is excluded, there is a delay of four months.



7. Admittedly, the dispute is between close relatives. The alleged occurrence is said to have taken place in the year 2020. The first respondent had not filed any petition under Section 473 of Cr.P.C. The maximum sentence that can be imposed for the aforesaid offences is three years. The first respondent did not file the Final Report within a period of three years in terms of Section 468 (2)(c) of Cr.P.C. Since the Final Report is barred by limitation, this Court is inclined to allow the petition filed by the petitioner/fourth accused, and accordingly, the proceedings against the petitioner cannot be sustained.

8. In the result, this Criminal Revision is allowed.

26-02-2026

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

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Copy to:

1. The Judicial Magistrate,
Palladam.
2. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

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